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When Cases Fit the Gist of Rape But Not the Verbatim Definition (and Vice Versa):

A Fuzzy-trace Theory of Jurors' Judgments of Guilt

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Abstract

Jurors have duties to follow strict interpretations of the law when making decisions about defendant guilt. However, jurors are not blank slates – by the time trial has started, eligible jurors (i.e. adults) have already accumulated strong senses of gist (intuition) built upon experience, emotion, and moral reasoning irrespective of the law. We investigate the impact of verbatim (violations of rote legal definitions) and gist (bottom-line or essence) manipulations of rape on juror decision-making. Despite jury instructions, we predict that legal verdicts will be influenced by gist. Conversely, we predict that verbatim manipulations will influence personal assignments of guilt such that scenarios that violate the law will be judged as more immoral or personally violating. The first experiment measured responses to scenarios involving alcohol ($N = 158$) and scenarios involving age disparities ($N = 206$). Participants received one of four combinations of two cases, giving two verdicts per case, resulting in 4 total responses. These verdicts corresponded to whether the actions in the scenario rose to the level of rape legally and personally - participants gave hard legal verdicts (guilty and not guilty) as if participants were on a jury, and personal verdicts that corresponded to personal expectations of rape (still coded as guilty/not guilty). The presence of verbatim violations and gist violations of rape both significantly increased the rate of legal and personal verdicts, implying that 1) the gist of rape inflates legal guilty verdicts and 2) written law inflates personal opinions of what qualifies as rape while controlling for rape myth acceptance (endorsement of myths related to sexual assault and aggression). Experiment 2 ($N = 258$) improved upon the methods of Experiment 1. The age scenario was revised, and scenarios related to coercion and deception replaced alcohol. Overall, age-related scenarios were more influenced by verbatim, and coercion and deception were more

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overall influenced by gist. Follow-up studies with gender, survivor status, and law enforcement are suggested for informing relevant policy.

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CHAPTER 1 – INTRODUCTION

Background

Jurors are expected to act as objective fact-finders during the trial process. However, literature has revealed that jurors more realistically manage evidence by generating stories (Pennington & Hastie, 1986). Jurors will create multiple story schemas in fact-finding, but the ultimate story that “wins out” is the one in which evidence best “fits,” or is most coherent (Hans & Reyna, 2011; Reyna, Hans, Corbin, Yeh, Lin & Royer, 2015). One missing component from these story models is the notion that jurors must occasionally reconcile ethicality with legality. For example, jurors may “nullify” and choose to exonerate a defendant based on reasons unrelated to the law (Garner, 2009). To assist in the understanding of this reconciliation, I use Fuzzy-trace Theory (FTT) to delineate technical and ethical obligations of juror decision-making. FTT posits that people encode verbatim (rote details) and gist (bottom line meaning) from informative stimuli, and rely on these “traces” in memory, reasoning and decision-making (Reyna, 2012). The framework for verbatim and gist representations is a relevant construct here. Both the “letter” and the “spirit” of the law have been referenced as necessary factors in maintaining legal constitutionality (*McCulloch v. Maryland*, 1819). Verbatim and gist mental representations are not just the letter or spirit of the law, but they are related concepts. Chief Justice John Marshall elaborated on what the Necessary and Proper Clause set forth as “necessary” in implementing constitutional law (U.S. Const., art. I, § 8, cl.18.) in an opinion that has been cited over 20,000 times:

"Let the end be legitimate, let it be within the scope of the constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited,

but consist with the letter and spirit of the constitution, are constitutional."

The letter and the spirit of the law have since been defined in multiple law dictionaries, including the popularly-used Black's Law Dictionary (Garner, 2009; Blackwell, 2008; Lehman, 2005). The "letter of the law" (also referred to as *litera legis*) refers to the "strictly literal meaning of the law, rather than the intention or policy behind it" (Garner, 2009). In contrast, the "spirit of the law" (also referred to as *mens legis*) refers to the "general meaning or purpose of the law, as opposed to its literal content" (Garner, 2009). The definitions for letter and spirit have resemblances to the concepts of verbatim and gist in FTT, respectively, but it is important to note that they are not the same thing (Reyna, 2012; see Figure 1).

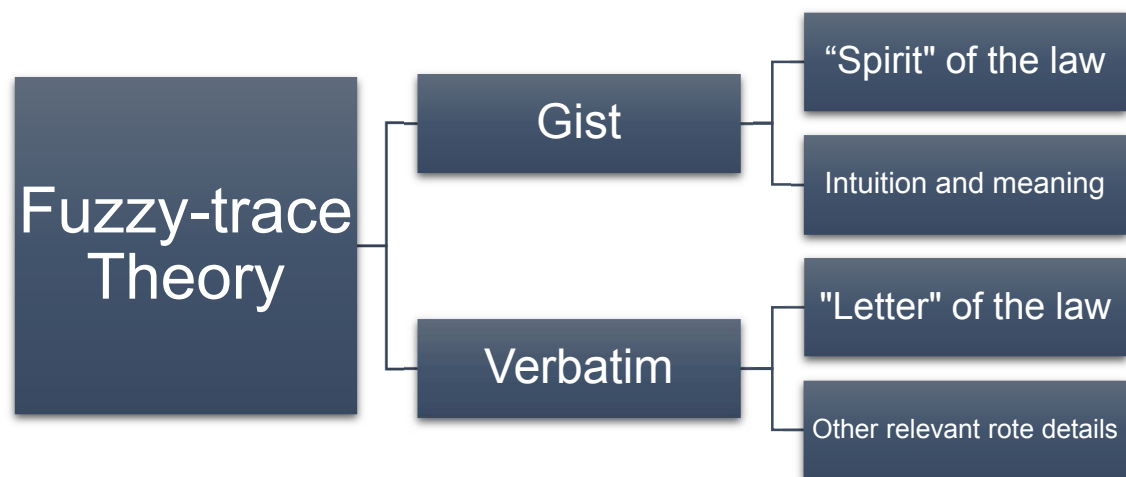


Figure 1 – FTT and Spirit/Letter of Law.

Violating the spirit of the law is a strong determining factor of guilt and degree of punishment when the letter is already violated (Garcia, Chen, & Gordon, 2014). However, Garcia et al. (2014) manipulated violations of the letter and spirit mostly with mathematical and

spatial assessments (e.g. driving 45 MPH is greater than a 30 MPH speed limit, parking outside a demarcated line is illegal, etc.).

An extension to an emotionally-charged crime such as rape can complicate judgments as sexual violence is inherently prone to misogynistic interferences (Dinos et al., 2015; Lonsway & Fitzgerald, 1995). Furthermore, the current laws for rape in the state of New York do not account for rape by deception, coercion, or other clearly non-consensual scenarios (see N.Y. Penal Code § 130). This creates a potentially cyclical effect: laws do not reflect violations of consent, therefore individuals find truly traumatic sexual experiences to be innocuous. As mentioned earlier, stories told can frequently contradict factual information. This is no different for cases of rape, a crime that rarely has non-victim witnesses willing to testify (Olsen-Fulero & Fulero, 1997).

In this series of experiments, I manipulate violations of technical verbatim law and the gist (or essence) of rape in scenarios that depict externally valid sexual scenarios. I suggest based on Fuzzy-trace Theory that gist violations of rape will inflate legal judgments, and that technical violations of verbatim law will inflate personal judgments.

Introduction to Fuzzy-trace Theory

Standard dual process theory defines thinking into two modes: Type I, which is considered to be “hot”, intuitive, and impulsive, and Type II, which is “cold”, logical and deliberative (Evans & Stanovich, 2010; Kahneman, 2003). Fuzzy-trace theory (FTT) expands upon standard dual process theory with an additional component of mental representation (Reyna, 2012). These forms of cognition are essential to understanding not just juror decision-making (those often instructed to be in Type II or “cold” states), but decision-making in actors of

all feeling states. The Cartesian nature of standard dual process theory informs many popular beliefs about judgments, sex, and judgments about sex. Jurors suffer from a number of biasing and problematic obstacles in making decisions of clear guilt or innocence, though they are expected to be in consistently “cold” Type II modes of thinking (Devine *et al.*, 2001; Lundrigan *et al.*, 2013; Carlson & Russo, 2001).

Two forms of mental representation (verbatim and gist) are interpreted and stored simultaneously, though separately (Reyna, 2012). The verbatim corresponds to the literal and rote details of the information, and the gist is the bottom line meaning. As the two are encoded in parallel, gist is not extracted from verbatim as has been suggested in previous psycholinguistic theories (Kintsch, 1974). Rather, the gist *and* the verbatim are encoded directly from the stimuli in question. For example, a car entering an intersection five seconds before the stop light turns green would be a verbatim representation of facts. The gist, however, would be that the car illegally ran a red light. Since these representations are encoded in parallel and not serially, FTT is considered to be a parallel model as opposed to a default interventionist model (Reyna & Brainerd, 1992; Sloman, 2002). The continuum for verbatim (detail) to gist (meaning) can be helpfully applied to scales of measurement: verbatim corresponds to the ratio or interval specific numerical value, while gist would correspond to the ordinal ranks or nominal categories. The term “fuzzy trace” draws a simple distinction between gist and verbatim: gist memories and information are “fuzzy” and imprecise, while verbatim representations are specific, yet typically fleeting. Verbatim representations are not just lexical – they can be applied to pictures, numbers, and other nonverbal communications materials (Reyna & Brainerd, 1998). Gist can also manifest in numerous ways, such as pattern-recognition and meaning-based judgment (Reyna, 2012). The gist is out of focus in detail compared to verbatim, but is generally accessed more often over time

for a number of reasons (Reyna & Brainerd, 1992).

There are moments in which individuals have diverging representations of the same information (Reyna & Brainerd, 2011). For example, accuracy for memory and reasoning for probability judgments are independent of each other - when applied to a risky context, these judgments can have a negative or positive impact on risk taking dependent on the reliance on verbatim or gist-processing (Reyna & Kiernan, 1994; Mills, Reyna, & Estrada, 2008; Reyna et al., 2011). Dependence on verbatim reasoning unilaterally is faulty: verbatim traces are ephemeral and easily corruptible by noise. This is not to say that gist is the key to every lock: gist-based processing is responsible for standard framing in the risky choice framing task (Kühberger & Tanner, 2010) among other effects and biases (see Setton, Wilhelms, Weldon, Chick, & Reyna, 2014). However, reliance on gist results in less error and maximizes efficiency in the aggregate. Reliance on gist-based reasoning is considered to be the more developmentally-advanced mode of thinking, as it increases with age and experience (Reyna & Rivers, 2009; Reyna, Chick, Corbin, & Hsia, 2014; Reyna, Lloyd, & Brainerd, 2003).

Juror Decision-Making.

Though the law would prefer jurors to be *tabulae rasae* (blank slates), this expectation is built on shoddy foundations of human cognition. First, evidence has shown that infants are not even blank slates, as humans come prewired with certain genetic makeups that influence behavior and disposition (Pinker, 2002). Additionally, social factors strongly influence judgment and decision-making (Asch, 1951; Chen & Chaiken, 1999). Therefore, the expectation that fully-grown adults with diverse experiences and identities will be able to clear their mind of any

potential bias or prejudice is optimistic at best. Pennington and Hastie in 1993 put forth their story-model for juror decision-making. They argued that the model consisted of three stages of story construction: evaluation of facts, learning about the legal options, and fitting the story to the verdict (Pennington & Hastie, 1993). In order to do this, jurors use the following tools: evidence, real-world knowledge, prototypes and scripts surrounding the relevant crime, and relevant expectations and experiences (Pennington & Hastie, 1993). Additionally, pre-evaluations have been found to reliably influence final verdicts: the valence of jurors' initial opinion (guilty or not guilty) is a strong predictor of final verdict (Carlton & Russo, 2001).

Jurors rely on a number of heuristics and biases in order to reach decisions. First, FTT theorized that jurors use gist-based processing in order to reach verdicts for damages in civil cases (Hans & Reyna, 2011). Jurors are less likely to miss important meaning-based bits of context that might slip during verbatim-processing (processing of rote details) (Reyna & Lloyd, 2006), and representations of gist (bottom-line meaning) are less likely to deteriorate under high amounts of stress or affect (Reyna, 2008). Once jurors learn relevant case facts and law, they make categorical assessments (liable or not liable) followed by ordinal (low, medium, high amount for damage allocations) assessments. Following these stages, jurors contemplate specific dollar amounts that fit the gist of their previous judgments (Hans & Reyna, 2011).

Gist influences juror decision-making in more ways than just decisions for damage awards. For example, false or naïve prototypes (mental examples) of crime can influence final jury verdicts in problematic ways, and prototypes are components of gist (Smith, 1991; Reyna & Farley, 2006). For example, one distinction between theft and robbery is the use of violence (an essential element in the latter, not the former). However, many jurors might mistakenly categorize a theft without any violence as a robbery. This lack of expertise is one reason jury

instructions relevant to legal rules are distributed. Intervention materials advising jurors to disregard past personal knowledge about crimes have been shown to be insufficient measures to keep them from relying on prototypes (Smith, 1993). Fortunately, instructions to revise one's opinion about a crime has been noted as an effective strategy (e.g. "many people believe that kidnapping requires a ransom demand...a person can be found guilty of kidnapping even when ransom is *not* demanded") (Smith, 1993). While this strategy might seem attractive, a law with outdated or questionable definitions could serve to reinforce problematic prototypes, such as the exception of marital rape until the mid-1980's (*People v. Liberta*, 1984).

Other factors that influence decisions for guilt/liability and sentencing/damages are the number of plaintiffs/victims involved (Horowitz & Bordens, 2000), how much evidence exists (Weinstock & Flaton 2004), and existing prototypes for what the contested crime "looks" like (Smith, 1991). Of course, jurors exhibit bias during decision-making like everyone else, exhibiting confirmation bias (the "my side" bias that causes individuals to interpret information that favors their existing opinion) and hindsight bias (the "I knew it all along" bias) (Harley, 2007; Casper *et al.*, 1989; Lord, Ross, & Lepper, 1979).

Of course, one virtue jurors have is their humanity. This idea has been used to inform the "reasonable man" standard (Heuston, 1977):

The reasonable man connotes a person whose notions and standards of behaviour and responsibility correspond with those generally obtained among ordinary people in our society at the present time, who seldom allows his emotions to overbear his reason and whose habits are moderate and whose disposition is equable. He is not necessarily the

same as the average man a term which implies an amalgamation of counter-balancing extremes.

Jurors are often expected to understand and appreciate how a “reasonable man” operates for different various crimes, infractions, and instructions. However, there is one notable exception to the reasonable man standard: the reasonable woman standard (*Ellison v. Brady*, 1991). This deliberately-named standard used for sexual harassment cases centers the reasoning on a woman’s fundamentally distinct experience in a workplace from a man’s. This has obvious implications for crimes that are committed disproportionately against women such as rape and sexual assault. There does not appear to be a similar legal standard for cases of rape or sexual assault for jurors to follow. Instead, jurors in cases of rape rely on their own personal narratives informed by gist and personal experience. Relevant factors that determine exculpation of the defendant involve whether or not the victim was intoxicated, resistance, speed of reporting, and perpetrator demeanor (Dinos *et al.*, 2015).

FTT, Extralegal Factors, and Law.

Emotion has been notoriously labeled an intervening player in decision-making (Bandes and Blumenthal, 2012; Pillsbury, 1989). Jurors in deliberation are instructed to ignore their emotions with the implication that emotion interferes with rational decision-making, and that their duty as jurors is an existentially important one. For example, New York state jury instructions admonish jurors to refrain from judging according to their sympathy. Ironically,

Massachusetts Jury Instructions calls on jurors' emotional intelligence to compel them to ignore their sympathy:

You all know that this would be a pretty sad world without sympathy, but the courtroom is not the place for that sympathy. Even more important, your jury room is not the place for that sympathy. When you decide this case, you must decide this case on the basis of the facts as you find them. You must disregard sympathy and emotion, and you must focus on facts and facts alone.

Though sympathy is widely discouraged, empathy is a more contentious quality for judges and jurors. Specifically, cognitive empathy (the ability to understand others' perspectives) is unquestionably necessary in making fundamental judgments about culpability, while qualities similar to emotional empathy (the ability to provide an appropriate emotional response) are unilaterally discouraged (Bloom, 2016). Take, for example, a defendant who has unintentionally killed someone while driving drunk and has been accordingly charged with negligent homicide (a charge notably less severe than manslaughter or murder). An element of proving negligent homicide would be to show that the defendant acted "negligently." In order to convict, a juror would have to assess the following: would a "reasonably prudent person" have acted similarly to the defendant in exercising a reasonable standard of care (Garner, 2009)? Those who have been heavily intoxicated in their lifetime would understand both 1) the gist of drunkenness and 2) how risky the decision to drive drunk is. Jurors then use those data to inform their decision-making as to whether the defendant acted negligently in the aggregate. This standard could not possibly be met without some degree of cognitive empathy. It is important to note that negligence is not

unique to this need for cognitive empathy – both recklessness and intentionality judgments require some amount of perspective-taking.

Using the same example above, imagine that the defendant was sympathetic, and that the reason for the defendant's drunkenness was due to a series of unquestionably awful tragedies. Those with a high level of emotional empathy may feel a great deal of sympathy for the defendant and thus absolve them (at least partially) of responsibility. This example illuminates what principally concerns legal scholars: the uprooting of logical reason via unrestrained emotions. It should be mentioned that asking a juror in closing arguments to "imagine themselves in the defendant's shoes" is grounds for a mistrial and popularly referred to as the "Golden Rule" (see Roche, 2014 for relevant cases; *Granfield v. CSX Transportation Inc.*, 2010). This implies that there are some inherent flaws in using both emotional and cognitive empathy in divining how a "reasonable actor" would act in a similar situation versus the defendant's actions.

Nonetheless, cognitive empathy is emphasized in other areas of the law, such as the Federal Rules of Evidence, which governs admissibility of all evidence in trial proceedings. For example, a general rule of hearsay is that out of court statements (oral, written or nonverbal) that attempt to convey absolute truth are inadmissible (F.R.E. 801). However, an exception to the hearsay rule is that statements pertaining to the declarant's then-existing state of mind, emotion, motive, intent, plan, and other mental, emotional and physical conditions (excluding memory, generally) are not automatically inadmissible (F.R.E. 803(3)). These statements are excepted due to their tendency to be truthful and have a significantly lower risk of fabrication on the part of the declarant (Weinstein & Berger, 2011). In conjunction with conventional legal rationale cited thus far, emotions are earnest at the time of expression, yet still unhelpful guides for decision-making. This exception to the hearsay rule nonetheless implies an inherent relevance for a declarant's

potential motive or plan, and the understanding of that motive or plan is predicated on perspective-taking and cognitive empathy.

Ultimately, while cognitive empathy has rooted itself in procedural justice, many forms of emotional resourcing are discouraged in legal decision-making due to its potential biasing effects. It is certainly true that emotion *can* bias decision-making: advocates can invoke a sense of pathos among a jury via victim photographs, histrionic witness testimony, and impassioned arguments, to name a few (Bright & Goodman-Delahunty, 2006). In many instances, attorneys need not strain to elicit an emotional response. If the facts of the case indicate fundamentally unjust components, jurors may experience negative affect such as anger, sadness or spite toward the defendant (Lerner & Kelter, 2000). Alternatively, positive affect and arousal has been identified as factors in juror decision-making. Jurors significantly absolve defendants who are perceived as honest, physically attractive, or similar in race and/or ethnicity (Jehle, Miller, & Kimmelmeier, 2009; Gunnell & Ceci, 2010; Hunt, 2015). Notably, remorse on the part of the defendant has manifested in contradictory directions for damages and sentencing (Bornstein, Rung, & Miller, 2002; Corwin, *et al.*, 2012; Jehle, Miller, & Kimmelmeier, 2009).

For all its pitfalls, emotion is integral to gist intuition (see Rivers, Reyna, & Mills, 2008 for a model of emotion and fuzzy-trace theory). Specifically, emotion is comprised of valence (positive or negative), feeling/mood states, arousal/drive, and discrete emotional states (Slovic, Peters, Finucane, & MacGregor, 2005). While the previous examples can certainly interfere in decision-making, emotion overall plays a powerful role in encoding choice. Specifically, valence informs knowledge, as it provides a categorical notion of reward or loss (Rivers, Reyna, & Mills, 2008; Adolphs, Denburg, & Tranel, 2001). In the example of an adolescent debating having a sleepover or an unsupervised party, valence plays an early role in the final decision. Though

sleepovers and unsupervised parties would both be fun, unsupervised parties introduce an additional negative affective component (fear of getting caught). Both feeling states and discrete emotional states at their most raw play a role in Type 1 processing. This in turn molds and shapes gist, especially when stimuli are ambiguous (Forgas, 2000).

Arousal and drive states, on the other hand, enhance emotional or altogether arousing materials, pushing neutral stimuli to the periphery (Kensinger, 2004; LaBar & Cabeza, 2006). When people are not aroused or in a “hot” state, they lack empathy or insight into their own behavior in aroused states (Loewenstein, 1996; Ariely & Loewenstein, 2006). Those who are in unaroused or cold states cannot appreciate another person’s state of arousal, nor can they adequately predict their preferences during their own states of arousal (Nordgren, Banas, & MacDonald, 2011; Nordgren, McDonnell, & Loewenstein, 2011; Loewenstein, 2005). These types of “cold” judges that rely on Type II processing are ideal jurors - however, the reality is that the memories of all emotional components are too deeply embedded in life experiences and reasoning to entirely discount. All jurors, hot or cold, will ultimately rely on gist and emotion in making judgments, especially for cases that involve emotionally triggering content like rape.

To capture any other intervening extralegal factors, measures like Positive and Negative Affect Schedule - Extended (Watson, Clark, & Tellegen, 1988), Behavioral Inhibition Scale/Behavioral Activation Scale (Carter & White, 1994), the Ideological Consistency Scale (Pew Research Center, 2014), and the Self-Reported Psychopathy III scale (Neumann, Schmitt, Carter, Embley, & Hare, 2012) are included in Experiment 1 (see Methods for Experiment 1).

Rape.

While legal definitions of rape are important for these experiments, folk conceptions of rape are equally significant. Ultimately, most forms of sexual violence narrow in on the question of consent. Conventional understanding of consent is complicated, and the way it is defined can radically shift factors such as likelihood to report abuse and overall prevention (Paul *et al.*, 2014). As it stands, current college-age men fail to understand concepts of consent significantly more often than women (National Sexual Violence Resource Center, 2017). Many attempts have been made over the last few years to explain consent in simple terms (May, 2015; RAINN, 2016a; Lawler, 2016). Cases in which a perpetrator rapes someone by coercion or deception instead of force are seen as less morally objectionable (Falk, 1998). However, deception impugns on one's right to having requisite knowledge for consent, and coercion impugns on one's right to freely refuse to participate without worrying about being punished, violations which would vitiate consent in a research context (see 45 C.F.R. § 46.116, 2009 for informed consent definition in human-subjects research). At the 2017 Society for Judgment and Decision Making Conference, Roseanna Sommers spoke about consent in the context of 4th amendment rights. She posed the following questions as useful ones for determining whether or not a civilian could "reasonably" refuse a search from a police officer, and they apply surprisingly well to sexual consent: "How easy would it feel to say no? How pressured? How comfortable? How awkward?" Most of our current laws at the state and federal levels fail to meet these definitional standards, nor do they appear to ask these questions (see DeMatteo *et al.*, 2015 for a review).

In the past thirty years, legal rape reform has moved steadily toward less physically-based definitions of rape, largely due to second-wave feminist works and activism (see Brownmiller, 1975). Prior to 2013, the definition of what constituted rape on the federal level had been the following (Federal Bureau of Investigation [FBI], 2012): "The carnal knowledge of a female

forcibly and against her will.” This is not the only problematic institutional example of limited rape definitions: marital rape was not always considered illegal, and cases of date rape rarely reached levels of legal prosecution (*People v. Liberta*, 1984; Patterson & Campbell, 2011). In an archival study in 1966, jurors acquitted defendants for rape more than any other charge (Kalven & Zeisel). In 2013, the FBI redefined rape from the above definition to “Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.” While this clears up some anatomical and gender-based ambiguity, it does not define what it means to have consent to have sex (Federal Bureau of Investigation [FBI], 2012).

One example of recent rape policy reform has been in 2016 in California (cite SB 967 here). This law outlines that universities and community colleges must adopt uniform policy with “victim-centered” policies and affirmative consent standards, which was defined as follows:

Affirmative consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

Some disagree and assert that the recent years of rape reform have caused an “erosion” of rights of the accused (Klein, 2009) due to a number of factors. These include the fact that a reasonable mistake of fact defense is often unavailable for a defendant, that rape shield laws significantly disadvantage the accused and that testimony by a rape trauma expert would unduly prejudice juror decision-making (see also Fusilli, 2012). These objections do not only exist in state criminal investigations of rape. At the college level, this standard appears to disadvantage the accused further with looser investigation requirements and a lower threshold of proof (DeMatteo *et al.*, 2015). This frustration has manifested in recent action taken by the Betsy DeVos, the Secretary of Education, to modify how Title IX regulations apply to sexual violence investigations (Svrluga, 2017).

States have the right to prosecute and define rape and consent, and these standards can vary widely. Some definitions of rape include elements such as: understanding nature of the conduct, understanding nature and consequences, moral understanding, totality of circumstances, and whether one can exercise judgment (see DeMatteo *et al.*, 2015; Denno, 1997). Some have tried to create uniformity and fairness with federal rape standards by creating a Model Penal Code. Model Penal Codes have been recommended by the American Law Institute (ALI), a collection of elite adjudicators and attorneys since the ALI’s conception in 1955. More recent gatherings on the subject of redefining sexual assault to include more affirmative consent standards have “provoked great controversy” in the past, indicating discord among influential legal professionals (Schulhofer & Murphy, 2016; for details on affirmative consent standards, see DeMatteo *et al.*, 2015). It stands to reason that lawmakers are hesitant to implement more “gist”-like standards of consent: in clinical and research contexts, comprehension of key elements of consent have been argued to be below what would be considered an ethically-informed

standard (Mark & Spiro, 1990; Bergler *et al.*, 1980; van Stuijvenberg *et al.*, 1998). However, gist is relevant for understanding consent, as informed consent necessitates adequate comprehension of context and meaning.

One way that gist manifests into beliefs is rape myth acceptance (RMA). RMA includes notions such as victims bring upon their own assaults, alcohol causes rapists to rape, “no” means “yes”, and victims are dubious and deceitful in recounting their experiences, among others (Burt, 1980; Gerger *et al.*, 2007). Not only are these myths untrue, but they are predictive of future rape for those who endorse them (Malamuth, 1981). Myths related to sexual assault tend to be held more strongly by men, though many women and gender non-conforming individuals also subscribe to these myths (Gerger *et al.*, 2007). Furthermore, both hostile (negative in tone) and benevolent (positive in tone) sexism result in more RMA and victim-blaming (Abrams *et al.*, 2003). Additionally, victims are often expected by others to resist their assault in some form (Burt, 1980; Gerger *et al.*, 2007). This is problematic for a number of reasons: first, a significant amount of rape victims experience “tonic immobility,” or the reflexive inability to move once the body detects abuse (Galliano *et al.*, 1993). Second, resisting poses a serious risk for further injury: the threat of abuse does not stop once one has resisted, and resisting could result in more severe injurious behavior on the part of the assailant.

The desire for simple and clear rules for jurors to judge rape is understandable, and it is necessary to have written laws to penalize sexual violence. However, sexual violence is not always overt; it can be subtle, stealthy, and even widely accepted as benign (Koss, 1985; Falk, 1998; Brodsky, 2017). Rape is typically associated with sexual impulsivity and aggression, though the practice is actually rooted in domination and punishment. Since the European colonization of the Americas, rape has been a tool of domination and punishment for indigenous

peoples and enslaved peoples (Block, 2006; Getman, 1984). Rape has never been simply about sex or pleasure – it has been about exercising power or anger (Anderson *et al.*, 1997; Groth *et al.*, 1977). Many assume that acts of sexual assault occur between a male perpetrator and a female victim (Deitz *et al.*, 1982; Habarth, 2015; Field, 1978). While this is often true, sexual assault can be committed by and happen to anyone with any identity. Those who are most at risk are those who identify as transgender, bisexual, and/or woman (Smith *et al.*, 2017; Grant *et al.*, 2011). The pernicious aspects of sexual assault pervade even the most updated of protections against victims.

To add insult to injury, society places a great deal of the burden of holding an assailant accountable on the victim, assuming the victim has not perished from the assault. A person who is raped is responsible for making sure all DNA evidence from the rape is available and retrievable. They cannot change their clothes, shower, urinate, defecate, eat, brush their teeth, vomit or do anything to contaminate traces of evidence left on their body before receiving a rape kit (RAINN, 2016b). They must process the rape kit within 72 hours of the attack, and the technician that administers the multiple-hours exam may or may not have undergone proper training. If they do not have physical injuries, they must explain why they did not resist or whether they were just confused (Patterson, 2011). They must report as soon as possible and tell a consistent story (in perpetuity) of the rape in order to be believed. They must risk interacting with law enforcement who might belittle or deny their experience, causing secondary victimization (Campbell & Raja, 1999). They must weigh each side of the double-edged decision to pursue (“They are just making it all up to get his money”) or abandon (“They do not even think they have enough proof to win”) a civil trial (Lininger, 2008). They must face their assailant and potentially their assailant’s family at least once to retell their experience (Patterson

& Campbell, 2010). They must endure a cross-examination from an attorney whose interest is vested in gaslighting and denying allegations against their client. They must be willing to wait months to years for justice, and they must be willing to accept a verdict that exonerates sexual violence. These factors all contribute to underreporting of rape, which likely interacts with the previously mentioned problem of the written law (Chen & Ullman, 2010; Krebs *et al.*, 2009).

It is important to note they are not alone: as a result of feminist activism, we have a federal rape shield law that limits opposing attorneys from asking about sexual history with individuals other than the accused (*VAWA*, 1994; F.R.E. 412), victim advocates, counselors, and technicians who specialize in collecting sexual evidence and helping victims (Campbell, 2006).

Additionally, victims may seek a rape kit without necessarily committing to reporting to law enforcement following the enactment of the Jane/John Doe rape kit law (*VAWA*, 2005).

However, the ignition to start any meaningful retribution process must start with the victim, as crimes of rape rarely have witnesses other than the victim and the perpetrator. Should a victim of assault report to law enforcement, they will face special juror decision-making challenges (assuming her assailant does not accept a plea of some sort). Certain extralegal factors influence how likely it is for a victim of rape to earn a favorable verdict such as attractiveness, race, race of defendant, perceived suggestiveness, and strength of evidence (Feild, 1978; Dinos *et al.*, 2015).

Additionally, situational and personal factors are known to influence implicit and explicit evaluations of sexual scenarios (Süssenbach *et al.*, 2016). These factors are influenced by gist, as beliefs related to sensitive, experiential topics like rape mature over time with knowledge and experience (Reyna & Brainerd, 2011).

Overview of Study and Predictions

Acquittals based on RMA are “consistent regardless of the quality of the individual research studies and type of sample used” (see Dinos et al., 2015 for a review). RMA is fundamentally a set of falsely held beliefs about sexual aggression. Beliefs are based upon information (false or not), which is simultaneously and separately encoded as gist and verbatim at the time the information is learned (see Reyna & Brainerd, 1995). Scales for RMA are continuous to capture degrees of acceptance. Its utility as a covariate in an otherwise traditional repeated-measures ANOVA makes sense to account for its predictive power in juror decision-making about rape.

However, gist- and verbatim-based representations and choices about rape are hypothesized to have differential effects beyond rape myth acceptance. There is a distinction between mental representation of case facts (gist and verbatim) and technical/personal judgments of rape. FTT predicts that scenarios that have a “gist” of rape will result in not only more personal moral judgments of guilt on behalf of the assailant, but that they will have a powerfully positive effect on “technically guilty” legal decisions, where jurors would be advised to strictly to the letter of the law. This prediction is bolstered by findings where juror prototypes (a component of gist) of crime influence final legal verdict, even when jurors are instructed on legal definitions (Smith, 1991; Smith, 1993). Additionally, FTT predicts that jurors will fulfill their roles and give more legal guilty verdicts in scenarios that violate verbatim rape law, but also that verbatim-based reasoning is not benign in the development of moral beliefs (Bilz & Nadler, 2014). However, I predict that these effects will not be equal – rather, the effect of gist on legal decisions will be considerably more powerful than verbatim on personal beliefs, especially when

there is a gist of rape. The reasons for this hypothesis are two-fold: 1) adults rely more on gist-than verbatim-processing, and 2) rape is an inherently gist-y crime that requires context and emotional intelligence. This will mean that jurors will either be committing one of two acts: 1) jurors will be willfully disavowing the instructions set before them, or 2) jurors will interpret the law in a distorted way that justifies both their gist belief and a violation of the law. While these data cannot quite answer the question of which participants will be doing (willfully disobeying instructions or following their own interpretations), the answer will have deep implications for eligible jurors following instructions.

Based on FTT, I predict that gist-based intuitions about certain crimes shape policies and vice versa – however, no empirical test has been put forth to quantify the extent. Crimes involving sexual violence are the first for testing this hypothesis. The crime serves as an excellent candidate to test how written legal rules and personal beliefs influence each other: rape is widely underreported, and there is widespread disagreement institutionally and individually as to what constitutes “real” rape (Chen & Ullman, 2010; DeMatteo *et al.*, 2015; Ellison & Munro, 2009; Groth *et al.*, 1977). In New York, the statute leaves enough gaps so that there are “illegally” and “legally permissible” forms of rape – ones that can be prosecuted and ones that cannot (N.Y. Penal L. § 130, 2014; also obtained from personal interview with former Brooklyn sex crimes prosecutor). Some of these instances of rape include rape by coercion (rape under threat or duress), deception (rape under false pretenses that would otherwise negate sexual activity), and presence of intoxication (Falk, 1998; Ellison & Munro, 2009). This schism sows doubt from all sides, as the law and human moral nature look to each other for checks and balance (Bilz & Nadler, 2014; Pillsbury, 1989). Finally, I predict that verbatim-rape will influence verdicts for crimes with more verbatim elements and valuations like numbers. This

would include situations in which, for example, valuations involve the legal age of consent being at least 17 years old.

CHAPTER 2 – EXPERIMENT 1: ALCOHOL AND AGE

Method

Participants.

Participants were 188 undergraduate students at Cornell University ($M_{\text{age}} = 19.76$) and 18 locally recruited in the Ithaca area ($M_{\text{age}} = 36.67$). Total number of participants was 206 ($M_{\text{age}} = 21.23$). As compensation, university participants received course credit upon completion of the 30-minute survey. Those locally recruited did so voluntarily. The sample consisted of 62.1% White, 23.3% Asian, 2.4% Black/African American, and 3.9% Mixed race participants. Of all participants, 7.8% were of Hispanic/Latinx descent. Respondents were 82.5% female, with two participants identifying as a non-binary gender (1%). Participants identified as straight/heterosexual 88.8% of the time, with 3.9% of the sample identifying as gay/lesbian/homosexual and the remainder identifying with a non-heterosexual orientation. Of all participants, 60.2% knew at least one person who has experienced unwanted sexual contact (see Table 1 for personal experience with assault).

Table 1
Rates of Sexual Assault in Experiment 1.

Have you ever experienced...	User Missing	I don't know	Rather not say	Yes	No
...sexual assault (any unwanted sexual contact)?	4 (1.9%)	0 (0.0%)	7 (3.4%)	48 (23.3%)	147 (71.4%)
...rape by deception (the earning of consent through dishonest or fraudulent means)?	2 (1.0%)	0 (0.0%)	7 (3.4%)	5 (2.4%)	192 (93.2%)
...rape by coercion (implied or clear threats or pressure to have sex)?	4 (1.9%)	0 (0.0%)	7 (3.4%)	8 (3.9%)	187 (90.8%)
...rape by physical force while conscious?	0 (0.0%)	3 (1.5%)	7 (3.4%)	1 (0.5%)	195 (94.7%)
...rape by physical force while unconscious?	0 (0.0%)	4 (1.9%)	5 (2.4%)	4 (1.9%)	193 (93.7%)

Materials and Procedure.

The study was administered online through Qualtrics Lab, Inc. software. Via a secure hyperlink, participants completed an online consent form before starting the survey. Participants were each given two brief case vignettes. Each vignette described a relationship between two people (two people at a mixer and of varying age.) and a sexual event. Following each vignette were sets of jury instructions specific to sexual offenses in the state of New York (CJI2d[NY] Penal L. § 130). These instructions provided definitions to sexual and legal terms, most notably “lack of consent” and “reasonable doubt.” After reading both materials, participants made judgments as to whether the acts in the scenario constituted rape. The first verdict made was whether the defendant in the scenario was guilty of committing an act of rape according to the law (i.e. the provided jury instructions; see Appendix 1 for jury instructions). The final judgment was whether the defendant was guilty of committing an act of rape according to the participant’s personal judgment. Following each judgment, participants indicated their confidence in their decision from 1-100 and provided in text response their reasoning behind their answer of guilty/not guilty. Legal and personal verdict was a within-subject factor. Signed confidence was calculated by giving confidence ratings a negative sign if the participant found the defendant not guilty and a positive sign if the participant found the defendant guilty, so scores ranged from -100 to 100. Notably, participants were instructed for the legal judgment to assign guilt only if they found it beyond a reasonable doubt. Participants were then given a number of different individual difference measures, demographics (including gender, race, and SES), and experience of assault. SES was calculated using the Two-Factor Hollingshead approach (Hollingshead, 2011).

Manipulating verbatim rape.

We attempted to manipulate whether the defendant in each scenario violated the law if one were to follow it verbatim. Participants had equal probability of being assigned a scenario that did not violate the law versus one that did. As discussed below, legal elements of rape that were germane to the study involved forcible compulsion, lack of consent, and statutory rape due to age differences. Forcible compulsion is colloquially rape by physical force, but also includes threats of kidnapping, serious injury or death. While other state standards include broader restrictions for coercion, New York does not (Cal Penal L. § 261, 2013; Kansas Penal L. § 55.2203; N.Y. Penal L. § 130.00(8), 2014).

Lack of consent is defined in the state of New York as follows: “Lack of consent results from circumstances under which, at the time of the act of intercourse, the complainant clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor’s situation would have understood the complainant’s words and acts as an expression of lack of consent to such act under all the circumstances” (N.Y. Penal L. § 130.05, 2014). Similar to the forcible compulsion standard, this element varies widely by those liable to define it. This definition can be simply summarized as a “no means no” standard, where one should stop sexual advances if 1) the complainant expresses non-consent (e.g. says “no” or physically resists) and 2) under the circumstances, a reasonable person would understand the complainant expressed non-consent. To summarize the impact of this consent policy, a comparison to other methods of obtaining consent can aid in understanding. One such method in marketing is the opt-in vs. opt-out strategy. An opt-in strategy assigns the default status of the consumer as non-consenting with the choice to “opt in” to solicitation. An opt-out strategy presumes consent on behalf of the

consumer, whereby the individual would be responsible to actively voice non-consent in order to refuse solicitation. The New York standard for sexual consent is similar to an opt-out policy.

Finally, the law articulates what it means to be incapable of consent. Among other conditions, being younger than the age of 17 and/or being physically helpless renders one incapable of sexual consent in New York (N.Y. Penal Law § 130.05, 2014). Those over the age of 21 are strictly liable for having sexual relations with someone under the age of 17, meaning the actor would be held responsible whether there was knowledge of the child's age. In essence, a 21-year-old who has sex with a 16-year-old who claimed to be 18 cannot deny the unlawfulness of the act, but may not find the act to amount to rape at an interpersonal level. Additionally, New York follows the common standard of a "Romeo and Juliet law" in which those over the age of 18 who are within four years of the complainant are not held automatically responsible (N.Y. Penal L. § 130.30(2), 2014). Physical helplessness is defined as being "unconscious or for any other reason [] physically unable to communicate unwillingness" to sex (N.Y. Penal L. § 130.00(7), 2014). Once again, this definition reinforces the responsibility on the complainant to communicate unwillingness. It also fails to explicitly account for states of intoxication that may not leave one unconscious or unable to communicate, but certainly could drastically alter cognition and behavior.

These factors were all considered in creating verbatim factors for Alcohol- and Age-related stimuli. Ultimately for the alcohol-related scenario, the "verbatim" manipulation included voluntary moderate inebriation (enough to be too drunk to drive), but the absence or presence of consciousness. Voluntary inebriation might affect the overall gist of the sexual scenario, but the absence or presence of consciousness is all that matters when it comes to the written law.

For Age-related stimuli, I maintained a no legal vs. legal standard of sex with someone

under the age of 17. This crime is a strictly liable one that does not require intent.

Manipulating gist of rape.

We attempted to manipulate whether the defendant in each scenario was guilty of rape. Participants had equal probability of being assigned a scenario that did not violate assumed personal standards versus one that did.

Creating a gist of rape posed the challenge of normatively defining characteristics of non-consensual sex. Many aspects of the law capture existing violations, such as having sex with someone who does not or cannot consent. However, there are common gray areas the law does not explicitly address. For example, a state of voluntary intoxication where one is still able to communicate unwillingness would not technically meet the standard for physical helplessness, but given the circumstances may make one question whether sex was consensual independently of the law. For defining the “gist” of rape for our Alcohol-related scenario, I worked backwards from what “no gist” of rape would be. Essentially, “no gist” was judged to be a scenario wherein there is no inference or appearance of non-consent. This is not meant to be at odds with affirmative consent standards, which enforces the “everything but yes is no” standard (DeMatteo *et al.*, 2015). In reality, there are sexual scenarios that can be told in story form without every nuance and indication of consent. For our scenarios that had no gist and no verbatim, readers could reasonably infer there was no nefarious power relation or reason to doubt the consensuality. For example, this is the alcohol-related scenario for *no verbatim-no gist*:

“Allen and Tara are both college students at a mixer. Both have been drinking past the point of being able to drive. Allen and Tara are kissing and decide to go back to Tara's dorm

room for some privacy. [The two start to have sex.]”

With more details, this scenario could indeed become more obviously consensual or non-consensual. However, our aim was not to capture a completely consensual scenario, but to create a scenario that would assuredly be less “rape-y” than a scenario that had new elements of questionable behavior at best and outright violence at worst.

For the Age-related scenario, considerations such as sex between two underage adolescents (12.5-year-old and 16-year-old) at different stages of maturity (held back in school and emancipated, respectively) would not technically violate the law due to the Romeo and Juliet affirmative defense, yet may raise red flags. Therefore, our measure for gist in the Age-related scenario was maturity level as opposed to numeric age.

Notably, a lack of *mens rea* (guilty mind, or intent to commit harm) was applied to diffuse otherwise illegal scenarios in our manipulations. One who makes an honest mistake of having clear and consensual sex with someone who has suddenly fallen asleep could be held responsible for forcible rape by law, yet may not elicit strong assessments of violations by laypeople.

Replicating across cases.

There were two types of scenarios. This was intended to examine whether manipulations would hold across different types of rape. The order in which scenarios were presented was randomized. The first was centered on two college students at a party drinking alcohol, then going to a dorm room for privacy. Alcohol is a common contributing factor to sexual assault, especially on college campuses: 72.9% of reported rapes at Cornell in 2015 were male

perpetrators who had been drinking, and 66.5% of incidents involved a female complainant voluntarily drinking (AAU Campus Climate Survey, 2015). This scenario contained four feasible outcomes stemming from the preceding events, each randomly presented: the two have consensual sex (*verbatim-no, gist-no*), the two have sex while the complainant feels “heavy” from the alcohol and does not actively participate (*verbatim-no, gist-yes*), the two initially have consensual sex which is interrupted when the complainant falls asleep (*verbatim-yes, gist-no*), and the perpetrator has sex with the unconscious complainant (*verbatim-yes, gist-yes*). For stimuli, see Figures 3 and 4.

The second was centered on a relationship with varying age differences. Following the same pattern of four varying combinations of verbatim- and gist-rape, one of the four scenarios was randomly presented to each participant: two 21-year-olds having sex (*verbatim-no, gist-no*), a legally emancipated 16-year-old and a 12.5-year-old held back in school (*verbatim-no, gist-yes*), a 21-year-old and a 16-year-old who had claimed to be 18 (*verbatim-yes, gist-no*), and a 21-year-old and a 15-year-old (*verbatim-yes, gist-yes*).

Design.

This design consists of two between-subjects factors each with two levels: Gist-Rape (No Gist, Gist) and Verbatim-Rape (No verbatim, Verbatim). Additionally, two within-subjects factors of Guilty Verdict (Legal Guilt, Personal Guilt) and Scenario (Alcohol-related, Age-related) were included. This is a 2 Verbatim-Rape (no violation of verbatim law, violation) X 2 Gist-Rape (no gist of rape, gist) X 2 Guilty Verdict (Legal, Personal) X 2 Scenario (Alcohol-related, Age-related) mixed factor design (see Table 2 and Figure 2).

Table 2
Experiment 1 Design

	No Gist	Gist
No Verbatim	Alcohol Legal Verdict	Alcohol Legal Verdict
	Alcohol Personal Verdict	Alcohol Personal Verdict
	Age Legal Verdict	Age Legal Verdict
	Age Personal Verdict	Age Personal Verdict
Verbatim	Alcohol Legal Verdict	Alcohol Legal Verdict
	Alcohol Personal Verdict	Alcohol Personal Verdict
	Age Legal Verdict	Age Legal Verdict
	Age Personal Verdict	Age Personal Verdict

Bold are sample assignments with randomized scenario order.

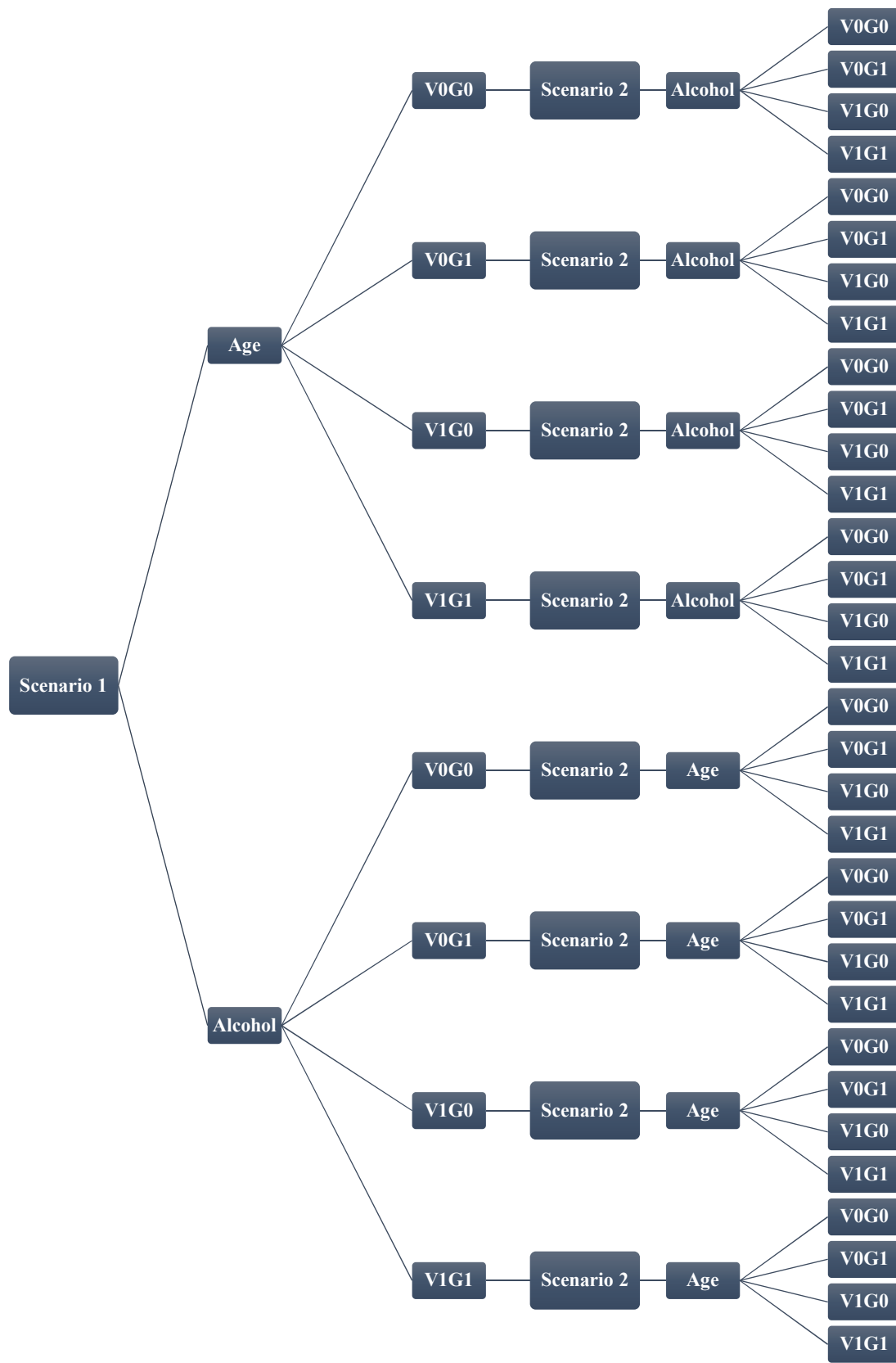


Figure 2 – Potential Orders of Stimuli for Experiment 1 – 32 total permutations.

	No Verbatim	Verbatim
No Gist	Allen and Tara are both college students at a mixer. Both have been drinking past the point of being able to drive. Allen and Tara are kissing and decide to go back to Tara's dorm room for some privacy. The two start to have sex.	... At first, Tara was very enthusiastic with Allen. Allen does not notice Tara has fallen asleep.
Gist	... Tara feels "heavy" from the alcohol. When Allen starts to have sex with Tara, she does not resist, but she does not actively participate.	... Tara stumbles into the room and immediately passes out. Allen has sex with Tara.*

Figure 3 - Alcohol (N = 158). * does not include "the two start to have sex"

	No Verbatim	Verbatim
No Gist	Lloyd and Marie are in a relationship. [Lloyd is 21 years old, and Marie is 21 years old.] The two have sex.	...[Lloyd is 21 years old, and Marie is 16 years old, but claims to be 18 years old.] ...
Gist	...[Lloyd is 16 years old, emancipated and living alone. Marie is 12 years old, but was held back two years in school. Lloyd and Marie are three and a half years apart in age.]...	...[Lloyd is 21 years old, and Marie is 15 years old.]...

Figure 4 - Age (N = 206).

General Individual Difference Measures.***Rape Myth Acceptance.***

All participants completed two RMA scales: the 17-item Illinois Rape Myth Acceptance Short Form (IRMA-SF) and the 30-item Acceptance of Modern Myths about Sexual Aggression (AMMSA) Scale (Payne, Lonsway & Fitzgerald, 1999; Gerger, Klay, Bohner & Siebler, 2007). Research has indicated that RMA is associated with not guilty verdicts for those accused of rape (Dinos, Burrowes, Hammond & Cunliffe, 2015). For both scales, participants indicate the extent to which they agree with each item on a scale of 1 to 7. However, the IRMA-SF is notoriously positively skewed, so the more recently developed AMMSA scale was used in an effort to capture a more normal distribution of rape myth acceptance (see Table 3). The authors of AMMSA concluded that the skew in the IRMA-SF was due to two factors unrelated to “true” rape myth acceptance: 1) rape myths have changed since the scale’s creation, and 2) participants are more likely to be aware of what would be the politically correct response due to increased awareness (Gerger et al., 2007). AMMSA resolves both problems by providing items with more subtle and implicit rape myth acceptance than the IRMA-SF.

Table 3
AMMSA and IRMA-SF Skewness and Kurtosis.

		AMMSA	IRMA
N	Valid	206	206
	Missing	0	0
Skewness		.335	1.535
Std. Error of Skewness		.169	.169
Kurtosis		-.920	2.717
Std. Error of Kurtosis		.337	.337

The two scales had a strong positive association in the sample ($r = .81, p < .001$). Both

scales had sufficient reliability for analyses ($\alpha s > .89$). All scales following rape myth acceptance questions were presented randomly.

BAS/BIS.

Participants completed the Behavioral Activation Scale/Behavioral Inhibition Scale (Carter & White, 1994), a scale that assesses how one's behavior is activated or inhibited. BAS consists of 13 total items ($\alpha = .858$) with three subscales: Fun-Seeking (4 items, $\alpha = .753$), Reward-Responsiveness (5 items, $\alpha = .789$), and Drive (4 items, $\alpha = .817$). BIS composite contains 7 total items ($\alpha = .828$) with two subscales: Fear (4 items, $\alpha = .805$) and Anxiety (3 items, $\alpha = .641$). The low Cronbach's alpha for Anxiety likely stems from the small number of items.

ICS.

The Ideological Consistency Scale was created by the Pew Research Center in 1994 in an effort to measure political polarization in the United States. The scale consisted of 10 sets of choices ($\alpha = .754$). One example of a set of choices is the following: "The government today can't afford to do much more to help the needy" or "The government should do more to help needy Americans even if it means going deeper into debt." Those who answered the former received a score of -1, the latter 1. Participants could additionally choose a neutral ("don't know/unsure") option, which would yield the value 0. After 9 more sets (all randomly distributed), the sum would assist in creating an interval scale according to conservativeness.

Scores less than -7 were marked as 1, -6 to -3 were 2, -2 to 2 were 3, 3 to 6 were 4, and those above 7 were marked as 5. 1 represents the most liberal beliefs, and 5 most conservative. This scale was used in analyses alongside self-report sliding scales of economic, social, and overall political leaning from -1 (most liberal) to +1 (most conservative). Specifically, participants were asked to rate themselves on the scale for their social (e.g. reproductive rights, LGBTQ rights, gun rights), economic (e.g. government regulation of business, health care, taxes) and overall political ideology.

SRP-III.

All participants completed the 64 item Self-Report Psychopathy III questionnaire (SRP-III), which is a scale that measures how many psychopathic traits one exhibits (Neumann, Schmitt, Carter, Embley, & Hare, 2012). SRP-III contains four subscales: Callous Affect (16 items, $\alpha = .763$), Interpersonal Manipulation (16 items, $\alpha = .814$), Erratic Lifestyle (15 items, $\alpha = .817$), Antisocial Behavior (16 items, $\alpha = .788$). SRP-III was reliable overall ($\alpha = .903$). Callous Affect measures the extent to which one does not experience emotional empathy with statements such as “I am more tough-minded than other people. Interpersonal manipulation relates to how one might influence or deceive others (“I think I could ‘beat’ a lie detector”). Erratic Lifestyle is similar to how it sounds: it refers to spontaneous and impulsive behavior, such as using drugs or thrill-seeking. Finally, antisocial behavior does not refer to behavior that is avoidant of others. In fact, it is more favorable to think of antisocial in this context as the opposite of prosocial: social activity that puts others at a detriment. These items typically involve committing crimes.

Results

Order of distribution data was lost, which necessitated individual analyses for scenario. Thus, Alcohol- and Age-related scenarios were analyzed separately. This also means that the hypothesis related to Age being dominantly influenced by verbatim will have to be examined in follow-ups (see Experiment 2).

Correlations with All Measures.

First, relationships between confidence and individual difference measures were measured using a bivariate correlational analysis (see Table 4). Rape myths on both the IRMA and AMMSA were positively related to confidence for personal guilt verdicts in the Age-related scenario. There was however no correlation for the Alcohol-related confidence measure and rape myth acceptance. BAS Reward Responsiveness significantly increased with confidence in the Alcohol-related scenario overall. Bivariate correlational analyses were also conducted with rape myth acceptance (see Table 5). Notable findings were that both scales for rape myth acceptance had a positive association with conservative political ideology as part of the Ideological Consistency Scale. RMA also correlated with two subscales of the Self-Reported Psychopathy III scale: callous affect and interpersonal manipulation. The Illinois Rape Myth Acceptance scale in particular increased with psychopathy in totality.

Table 4

Verdict Confidence Spearman's Rho – Experiment 1.

	Alcohol Legal Conf	Alcohol Personal Conf	Age Legal Conf	Age Personal Conf
Alcohol Legal Conf	-	-	-	-
Alcohol Personal Conf	.700**	-	-	-
Age Legal Conf	.435**	.300**	-	-
Age Personal Conf	.258**	.216**	.459**	-
SRP_III_Total	-0.035	-0.155	0.022	-0.024
Callous_Affect	0.002	-0.127	0.024	-0.074
Interpersonal_Manipulation	-0.05	-0.071	0.003	-0.084
Erratic_Life_Style	-0.027	-.177*	0.069	0.051
Anti_Social_Behavior	-0.047	-0.117	-0.016	-0.014
BAS_Funseeking	0.026	-0.036	.149*	.171*
BAS_RewardResponsiveness	.229**	.294**	0.089	.137*
BAS_Drive	0.064	0.04	0.006	0.004
BAS_Comp	0.111	0.107	0.103	0.109
BIS_Comp	-0.013	0.074	-0.115	-0.042
BIS_Fear	-0.059	0.052	-.142*	-0.013
BIS_Anxiety	0.007	0.061	-0.069	-0.048

** Correlation is significant at the 0.01 level (2-tailed).

* Correlation is significant at the 0.05 level (2-tailed).

Table 5

Rape Myth Acceptance Spearman's Rho Correlations – Experiment 1.

	AMMSA	IRMA
AMMSA_Mean	-	-
IRMA_Mean	.808**	-
ICS	.233**	.150*
Poli Self Report_Social	.366**	.351**
Poli Self Report_Economic	.226**	0.102
Poli Self Report_Overall	.290**	.226**
Self Reported Psychopathy III	0.123	.182**
Callous_Affect	.260**	.267**
Interpersonal_Manipulation	.173*	.196**
Erratic_Life_Style	-0.035	0.018
Anti_Social_Behavior	-0.003	0.11
BAS_Funseeking	-0.066	-0.033
BAS_RewardResponsiveness	0.058	0.006
BAS_Drive	0.026	0.031
BAS_Comp	0.012	0.006
BIS_Comp	0.089	0.068
BIS_Fear	0.081	0.043
BIS_Anxiety	0.083	0.083

** Correlation is significant at the 0.01 level (2-tailed).

* Correlation is significant at the 0.05 level (2-tailed).

Alcohol.***Correlations and Fisher's r to z .***

I used a bivariate correlation analysis to assess associations with signed confidence. Both gist and verbatim factors were positively correlated with legal and personal verdicts (See Table 16, Appendix 1 for correlations from both experiments). I then followed up with a Fisher's r to z transformation to compare effect sizes between groups from the same sample. The influence of gist-rape was significantly more powerful than verbatim-rape for both legal ($z = 3.21, p < .001$) and personal ($z = 6.56, p < .001$) judgments.

For both Alcohol- and Age- related scenarios, Cohen's d analyses for difference were conducted (see Table 6).

Table 6
Cohen's d .

	Alcohol		Age	
	Legal	Personal	Legal	Personal
Verbatim	0.61	0.33	1.74	0.27
Gist	1.25	2.23	0.71	0.91

Repeated Measures ANOVA and ANCOVA for Alcohol.

I conducted an ANOVA initially with two between-subjects factors: gist-rape and verbatim-rape, each with two levels. I had one two-level within-subjects factor for verdict type, for which respondents gave a legal and personal verdict of guilt. I then conducted an ANCOVA

to measure responses for guilt and signed confidence across gist-rape and verbatim-rape groups with rape myth acceptance as a covariate. Dependent measures included both verdict (0 = not guilty, 1 = guilty) and signed confidence. Because verdict measures are embedded in signed confidence, MANOVAs were not used. See Table 7 for summary of effects.

Table 7
Experiment 1 Effects.

DV: Guilty Verdict (0 = Not Guilty, 1 = Guilty)

	Alcohol			Age (Original)			Fully Replicated?
	F	<i>p</i>	η_p^2	F	<i>p</i>	η_p^2	
Rape Myth Acceptance	0.432	0.512	0.003	3.058	0.082	0.015	
Verdict	0.004	0.947	0	3.735	0.055	0.018	
VRape	34.357	< .001	0.183	88.032	< .001	0.305	Yes
GRape	208.456	< .001	0.577	79.06	< .001	0.282	Yes
VRape * GRape	2.586	0.110	0.017	37.834	< .001	0.158	
Verdict * VRape	2.799	0.096	0.018	56.222	< .001	0.219	
Verdict * GRape	14.664	< .001	0.087	1.681	0.196	0.008	
Verdict * VRape * GRape	16.746	< .001	0.099	0.024	0.877	0	

DV: Signed Confidence (-100 to +100)

	Alcohol			Age (Original)			Fully Replicated?
	F	<i>p</i>	η_p^2	F	<i>p</i>	η_p^2	
Rape Myth Acceptance	0.91	<i>NS</i>	0.01	4.033	0.046	0.02	
Verdict	0.11	<i>NS</i>	0.00	3.695	0.056	0.02	
VRape	41.71	< .001	0.21	106.325	< .001	0.35	Yes
GRape	233.30	< .001	0.60	107.888	< .001	0.35	Yes
VRape * GRape	0.65	<i>NS</i>	0.00	51.474	< .001	0.20	
Verdict * VRape	1.04	<i>NS</i>	0.00	64.691	< .001	0.24	
Verdict * GRape	15.44	< .001	0.09	2.049	<i>NS</i>	0.01	
Verdict * VRape * GRape	13.90	< .001	0.08	0.01	<i>NS</i>	0.00	

Covariate Effects. Rape myth acceptance was not a significant covariate in the analysis ($F(1, 153) = 432, p = .512$), though there was an interaction between verdict and rape myth acceptance ($F(1, 153) = 4.078, p = .045, \eta_p^2 = .03$). Importantly, all of the following effects (with

the exception of the main effect of verdict) maintained their significance when rape myth acceptance is added as a covariate. This means that the effects persist even when rape myth acceptance is controlled for. Furthermore, those in the 50th percentile and above of rape myth acceptance did not give more guilty legal verdicts ($t_{\text{alcohol}}(156) = -.782, p = .435$; $t_{\text{age}}(204) = -.430, p = .668$).

Effects for Verdict (Legal and Personal). There was a main effect of guilty verdict ($F(1, 153) = 56.38, p < .001, \eta_p^2 = .15$), such that participants found the scenarios to be overall more legally violating than personally violating (meaning more guilty verdicts were given than personal judgments of guilt). This effect disappeared when rape myth acceptance was added as a covariate ($F(1, 153) = .004, p = .947$).

Effects for Verbatim-Rape. There was a main effect of verbatim-rape ($F(1, 153) = 34.36, p < .001, \eta_p^2 = .18$). Participants who saw a scenario that violated the letter of the law were more likely to give a guilty verdict overall. The interaction for verdict type and verbatim-rape missed significance ($F(1, 153) = 2.799, p = .096, \eta_p^2 = .018$), and there was no significant interaction for gist-rape and verbatim-rape ($F(1, 153) = 2.586, p = .110$).

Effects for Gist-Rape. There was a main effect of gist-rape ($F(1, 153) = 208.46, p < .001, \eta_p^2 = .58$). Participants gave significantly more guilty verdicts overall when the scenario violated gist principles of rape regardless of whether the scenario violated the law. There was a significant interaction between verdict type and gist-rape ($F(1, 153) = 14.66, p < .001, \eta_p^2 = .09$). When the scenario did not have gist qualities, participants gave significantly more guilty legal than personal verdicts ($M = .281, p < .001$). Legal and personal verdicts were statistically indistinct when the gist was rape.

There was a significant three-way interaction between verdict, verbatim-rape and gist-rape ($F(1, 153) = 16.75, p < .001, \eta_p^2 = .09$; see Figure 2). In conditions that did not have gist qualities of rape, legal ($M = .156, p < .001$) and personal ($M = .511, p = .03$) guilty verdicts were given more often overall when the law was violated. Legal guilty verdicts when the scenario had a gist of rape did not significantly differ across verbatim-rape, though personal verdicts increased when the scenario had gist qualities and violated the law ($M = .264, p < .001$). There was no difference across legal or personal guilty verdicts in verbatim-gist congruent conditions (*no verbatim-no gist, verbatim-gist*). For both verbatim-gist incongruent conditions (*verbatim-no gist, no verbatim-gist*), legal guilty judgments were more freely given than personal guilty verdicts ($M = .458, p_{V1G0} < .001$; $M = .120, p_{V0G1} = .046$). The interaction likely stems from the large difference between legal and personal verdicts in the *verbatim-no gist* condition.

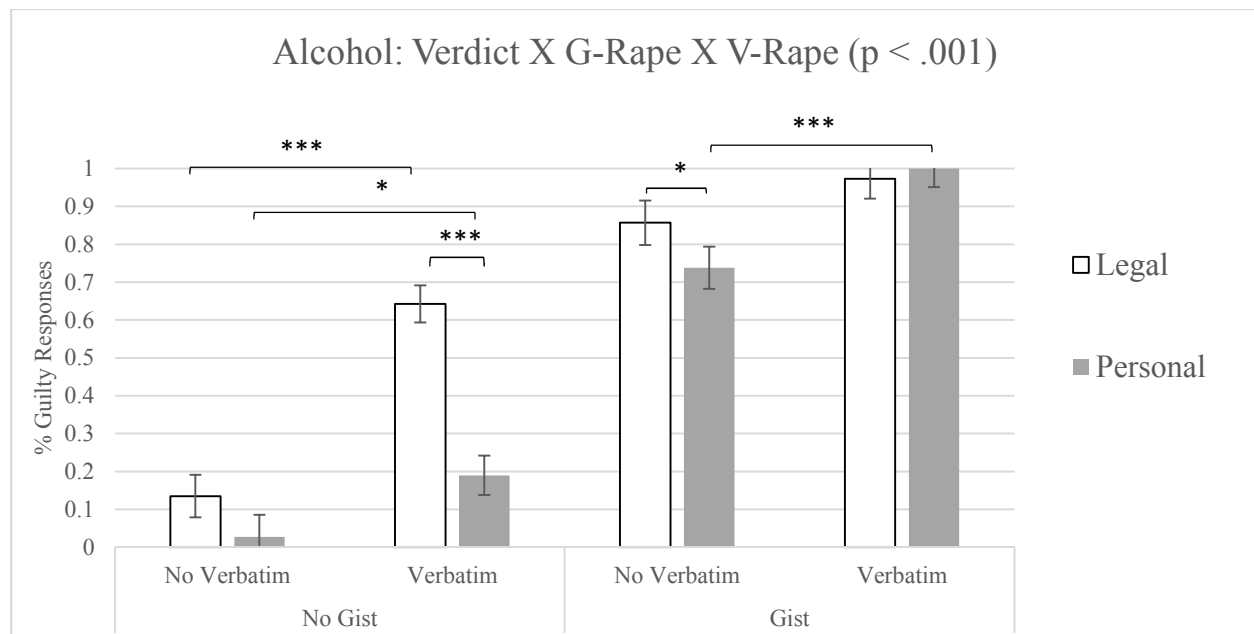


Figure 3 – Three Way Interaction for Alcohol Verdict.

Signed Confidence. All verdict effects held for the signed-confidence analysis, including the three-way interaction ($F(1, 153) = 13.90, p < .001, \eta_p^2 = .08$; see more in Figures 3 and 4). In the three-way interaction, the only significant differences in legal and personal verdicts were when there was no gist of rape. Regardless of violation of law, participants had higher legal signed confidence when the gist was not rape.

As can be seen in Figure 3, signed-confidence moves in a somewhat stepwise pattern moving across gist, then verbatim. It stands to reason that legal signed-confidence will increase with verbatim violations and that personal signed confidence will increase with the gist of rape. However, legal signed confidence also consistently increases when the condition has gist qualities of rape. Furthermore, personal signed-confidence significantly increases when the scenario violates the gist.

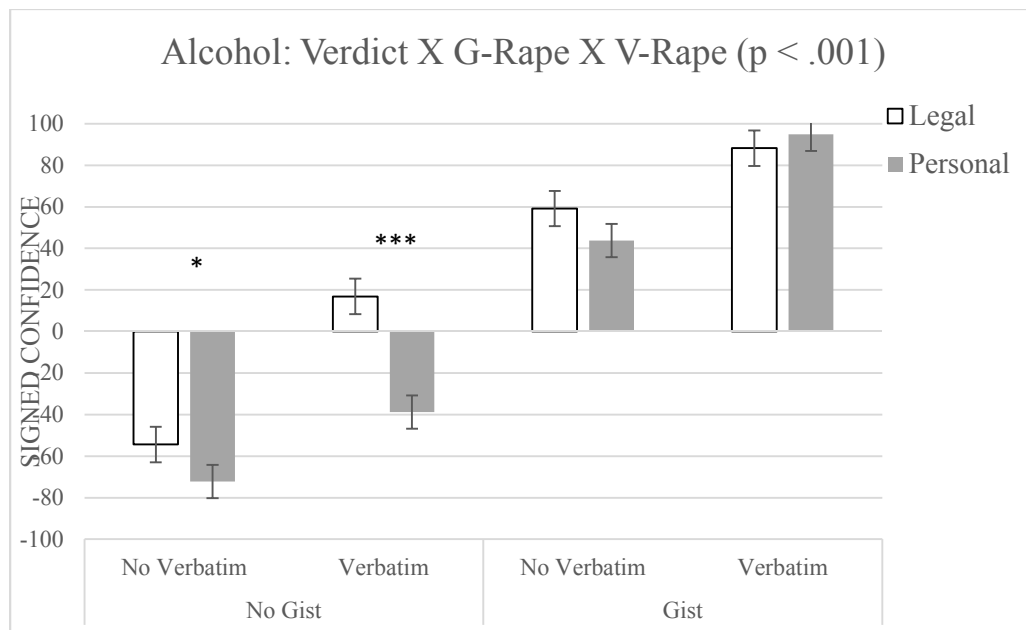


Figure 4 – Three Way Interaction for Alcohol Signed Confidence.

*Age.**Repeated Measures ANOVA and ANCOVA for Age.*

In the initial ANOVA, there were significantly more guilty legal verdicts given than personal ($F(1, 202) = 55.90, p < .001, \eta_p^2 = .217$). However, the ANCOVA with rape myth acceptance as a covariate revealed the effect to only approach significance ($F(1, 202) = 3.70, p = .056$) when controlling for rape myth acceptance ($F(1, 202) = 3.058, p = .082, \eta_p^2 = .02$), therefore the effect should not be emphasized. There were main effects for gist-rape ($F(1, 202) = 107.89, p < .001, \eta_p^2 = .349$) and verbatim-rape ($F(1, 202) = 106.33, p < .001, \eta_p^2 = .346$).

There was an interaction between verdict and verbatim-rape ($F(1, 202) = 64.69, p < .001, \eta_p^2 = .243$). The difference between verdicts across verbatim condition was much starker for legal verdicts ($p < .001$; see Figure 5). Nonetheless, being in the verbatim condition resulted in more personal guilty verdicts.

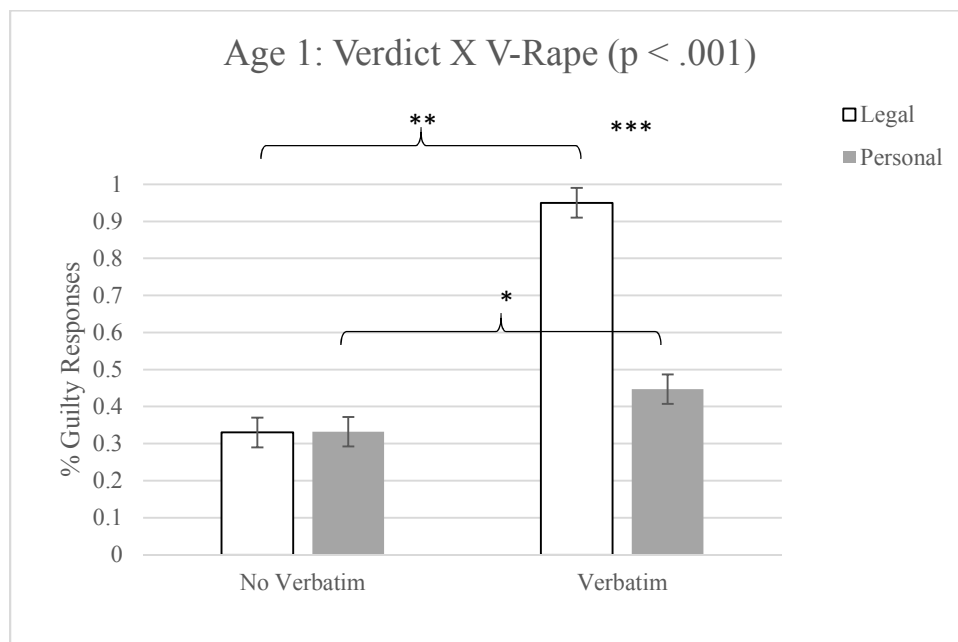


Figure 5 – Two Way Interaction for Age.

There was also an interaction for gist-rape and verbatim-rape ($F(1, 202) = 37.83, p < .001, \eta_p^2 = .202$). For overall verdicts there was a clear distinction between no gist and gist in the no verbatim condition ($M = .597, p < .001$). However in the scenarios that violated the law, gist only approached significance ($M = .109, p = .059$) in increasing guilty verdicts. There is a resembling dissimilarity when moving from no verbatim to verbatim condition: verdicts increase to a less overall extent ($M = .129, p = .027$) when there is a gist of rape than no gist of rape ($M = .616, p < .001$).

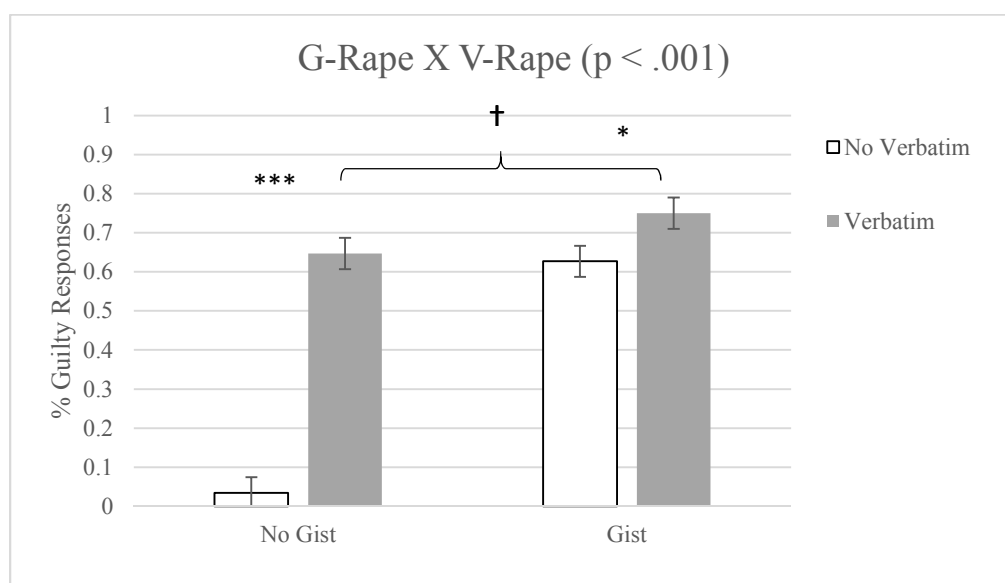


Figure 6 – Two Way Interaction for Age Verdict.

There were no further two-way or three-way interactions.

Signed Confidence. Effects and interactions for verdict replicated fully for the signed-confidence analysis. There was however one material difference: rape myth acceptance attained significance as a covariate ($F(1, 202) = 4.033, p = .046, \eta_p^2 = .02$).

Discussion and Future Directions

Hypotheses were confirmed following repeated measures ANCOVA analysis. FTT predicted that the gist of rape would color jurors' decisions of legal guilt, even though they were explicitly instructed to consider only the verbatim law. Verbatim- and gist-rape both had main effects on Age- and Alcohol-related scenarios. While rape myth acceptance might intercede with gist and verbatim-related choices on rape, fuzzy-trace representations accounted for decisions in guilt beyond attitudes about sexual aggression. The Alcohol-related scenario in particular showed a power effect we are calling the "gist inflation effect" – in the *gist-no verbatim* condition, participants were so steadfast in their gist belief of rape that legal guilty verdicts were given significantly more than scenarios that technically violated the law, yet not the gist. This effect manifested for one of two reasons: 1) jurors absolved themselves of their duties and acted as vigilantes to hold a "true" rapist accountable, or 2) the gist of rape was so strong, it caused jurors to arrive at a false technical conclusion of guilt.

Aspects of results for the Age-related scenario are largely similar to the Alcohol-related results (see Table 7). For example, controlling for rape myth acceptance for both Age- and Alcohol-related scenarios made a legal guilt slant level out, and the main effects for gist-rape and verbatim-rape were replicated. However, certain problems with some of the stimuli became apparent upon conclusion of data collection. First, the *verbatim-gist* condition did not have a strong enough "gist" of rape with a 21- and 15-year-old. This is a simple fix to a more egregious age difference, such as 21 and 12. This would fundamentally change the interaction above, as we predict that people will give more guilty personal verdicts (see Figure 6). Another issue with one of the Age stimuli was the lack of uniformity in instructions. Initially, we struggled greatly with

creating an Age-related scenario in which the law was not violated, yet the scenario had the gist of rape. Using the Romeo and Juliet law, an affirmative defense standard assisted in providing a legal loophole for a questionable scenario between a mature 16-year-old and a 12.5-year-old.

While this did not appear to obviously confound results, better care was taken in the next experiment to maintain consistency of instructions.

Chapter 3 – Experiment 2: Coercion, Deception and Age

Method

Participants.

Participants were 283 undergraduate students at Cornell University. 256 (90.4%) passed the recall task, which asked participants to recount every detail they could about each scenario. Participants passed if they could recall details related to the law and/or scenarios accurately. As compensation, university participants received course credit upon completion of the 30-minute survey. The sample had a mean age of 20.55 years. The sample consisted of 55.5% White, 27.9% Asian, 7.8% Black/African American, 4.6% Mixed race participants, 0.4% Native American-Indian, and 4.2% reporting as “Other.” Of all participants, 10.6% reported being of Hispanic/Latinx descent. Respondents were 71.4% female, with two participants identifying as a non-binary gender (1%). Participants were 91.9% straight/heterosexual, with 2.1% of the sample identifying as gay/lesbian/homosexual and the remainder identifying with a non-heterosexual orientation such as bisexual or pansexual (5.0%). Of the sample, at least 62.5% know someone who has experienced assault, and at least 25.4% have personally experienced assault.

Replicating across cases.

Contrary to the prior experiment, there were three scenarios. The first was an adjustment of the previous Age-related scenario. Specifically, the *no verbatim-gist* and *verbatim-gist*

conditions needed adjustment based on suspected confounds (See earlier Discussion).

To remedy the issues associated with *no verbatim-gist* in which the scenario involved a separate affirmative defense, the scenario was changed to the following:

Lloyd and Marie are in a relationship. Lloyd is 50 years old and has had many sexual experiences and partners. Marie is 17 years old and has never been sexual with anyone. Lloyd is a teacher at Marie's high school. The two have sex.

This adjustment allows for uniform jury instructions, and should allow for proper gist/verbatim stimuli to follow (See section on Manipulations). The remaining questionable stimuli, *verbatim-gist*, was simpler to fix. Previously, the stimuli had had a 21-year-old man and a 15-year-old girl. When 47.8% of the sample disagreed that there was a gist of rape, I decided on a younger age of 12 to make the violation of gist more obvious (see Figure 9).

This experiment introduced two new stimuli related to Coercion and Deception. Neither are addressed in the current New York State Penal Code. While the statute involving forcible rape allows assignment of guilt based on “threat, express or implied, which places a person in fear of immediate death or physical injury to himself or herself [or another person] or in fear that he or she [or another person] will immediately be kidnapped” (N.Y. Penal L. § 130.00(8)(b), 2014). This definition precludes subtler methods of coercion or abuse, including but not limited to: property damage, threat of job loss, blackmail, and other non-physical injury that still presents real danger (Falk, 1998). Simply put, threatening someone with something other than danger of injury, kidnapping or death in exchange for sex will prove lawful in the state of New York.

The Coercion statute was built upon the premise of two relatively neutral strangers becoming roommates. This scenario had four potential stimuli: the two have consensual sex after moving in together (*no verbatim-no gist*), the two have sex after one threatens to get the other evicted (*no verbatim-gist*), the two initially have consensual sex which is interrupted when the complainant falls asleep (*verbatim-no gist*), and the perpetrator threatens to kill the roommate if she does not have sex with him (*verbatim-gist*). It should be noted that for *verbatim-no gist*, the stimulus is nearly identical to the same cell in the previous Alcohol-related scenario. However, this new scenario does not include a presumption of moderate intoxication. For stimuli, see Figure 7.

The framework for the Deception-related scenario included a married, cohabitating couple. Though marital rape has been criminalized (*People v. Liberta*, 1984), most would likely find sex between a married couple to be more likely to be consensual than an otherwise unknown relationship. This made an attractive option for the *no verbatim-no gist*, wherein a married couple who lives together has sex one night. The remainder scenarios build upon the concept of deceptive or fraudulent sex. The *no verbatim-gist* scenario involves the husband having a twin brother that fraudulently presents himself. While the idea of false identity clearly constitutes rape, New York has precedent for defendants that have been exonerated for similar acts (*People v. Hough*, 1994). Furthermore, the existing definition for nonconsensual sex in written law does not include any mention of false identity or deception. However, it is culturally clear that having sex with someone other than the intended person in mind is rape (Falk, 1998; McArthur, 2016). This adds further confusion to the issue, as it implies that sex can be consensual during the act if it is predicated on false information, then retroactively nonconsensual upon added context. Fraud tends to vitiate consent in contractual law (Garner, 2009), but sexual activity tends to work

faster, more impulsively, and with less painfully agreed upon nuanced text than contracts (Falk, 1998; Rubenfeld, 2013; Ariely & Loewenstein, 2006). The *verbatim-no gist* condition was meant to have an unintentionally fraudulent communication of consent. This manifested in the victim having a case of sexsomnia, or the condition of having sex in one's sleep. In this instance, the wife in the scenario communicated a desire to have sex in her sleep. Once she woke up to her husband having sex with her, she protested, and he immediately stopped. This would still technically be illegal rape, as sex with someone who is unconscious or asleep is rape (N.Y. Penal L. § 130, 2014). Finally, the clear instance of violating the verbatim and gist of rape would be similar to previous stimuli, in that the assailant rapes his wife in her sleep (see Figure 8).

Design.

This analysis contains all of the same design factors as the previous study, with slight adjustments to one within-subjects factor. Instead of two levels of Alcohol and Age-related scenarios, Scenario now has three levels with Coercion, Deception, and Age (revised from the previous pilot). Additionally, since order data was available, a six-level between-subjects factor of order was added to both the initial ANOVA and the following ANCOVA. Additionally, this phase of data collection made it so participants received a combination of verbatim and gist that remained uniform across the three scenarios. For example, if a participant received initially an Age-related scenario with verbatim and gist of rape, they would receive *verbatim-gist* for Coercion and Deception as well. This made analyses with Scenario as a within-subjects factor possible (see Table 8).

Table 8
Experiment 2 Design

	No Gist	Gist
No Verbatim	Coercion Legal Verdict Coercion Personal Verdict Age Legal Verdict Age Personal Verdict Deception Legal Verdict Deception Personal Verdict	Coercion Legal Verdict Coercion Personal Verdict Age Legal Verdict Age Personal Verdict Deception Legal Verdict Deception Personal Verdict
Verbatim	Coercion Legal Verdict Coercion Personal Verdict Age Legal Verdict Age Personal Verdict Deception Legal Verdict Deception Personal Verdict	Coercion Legal Verdict Coercion Personal Verdict Age Legal Verdict Age Personal Verdict Deception Legal Verdict Deception Personal Verdict

Bold are sample assignments with randomized scenario order.

	No Verbatim	Verbatim
No Gist	Daniel and Sara meet on Craigslist while looking for roommates. The two sign a lease and move into a new apartment. [One night, the two have sex.]	... [At first, Sara was very enthusiastic with Daniel. Daniel does not notice Sara has fallen asleep. As soon as Daniel realizes Sara is asleep, he separates from her.]
Gist	... [Daniel's father is the landlord of the building. One night, Daniel tells Sara if she doesn't have sex with him, he will tell his father to evict her, and she will become homeless. The two have sex.]	... [One night, Daniel tells Sara that he will kill her unless she has sex with him. The two have sex.]

Figure 7 - Coercion ($N = 246$).

	No Verbatim	Verbatim
--	-------------	----------

No Gist	Alex and Mia, a married couple, live together. They share a bed. [One night, they have sex.]	... One night, Mia is talking in her sleep, but Alex believes she is awake with her eyes closed. Alex asks if Mia wants to have sex, and she responds that she does. Alex starts to have sex with Mia. She wakes up and tells him to stop. Alex immediately separates from Mia.
Gist	Alex, Mia [and Mat] all live together. Alex and Mia are married, [and Mat is Alex's identical twin.] One night, Mat sneaks into Mia's bedroom to try to have sex with her while Alex is still out for the night. Mia wakes up, believes it is Alex, and has sex with Mat. After the two have finished, Mia realizes it is Mat and not Alex. Mia kicks Mat out of the house.	... [One night, Alex wants to have sex with Mia, but she is asleep. He has sex with her anyway. Mia wakes up and kicks Alex out of the house.

Figure 8 - Deception ($N = 255$).

	No Verbatim	Verbatim
No Gist	Lloyd and Marie are in a relationship. [Lloyd is 21 years old, and Marie is 21 years old.] The two have sex.	... [Lloyd is 21 years old, and Marie is 16 years old, but claims to be 18 years old.] ...
Gist	... [Lloyd is 50 years old and has had many sexual experiences and partners. Marie is 17 years old and has never been sexual with anyone. Lloyd is a teacher at Marie's high school.] [Lloyd is 21 years old, and Marie is 12 years old.] ...

Figure 9 – Age ($N = 254$).

Results

Repeated Measures ANCOVA.

Table 9

Ns for BS Factors in Experiment 2 Full ANOVA

BS Factor	Level	N
Verbatim-Rape	No Verbatim	133
	Verbatim	145
Gist-Rape	No Gist	140
	Gist	138
Order (First Second Third)	Age Coercion Fraud	43
	Age Fraud Coercion	55
	Coercion Age Fraud	49
	Coercion Fraud Age	46
	Fraud Age Coercion	35
	Fraud Coercion Age	50

Table 10

Summary of Full ANCOVA for Experiment 2 – Verdict and Signed Confidence

	Verdict			Signed Confidence		
	F	p	η_p^2	F	p	η_p^2
AMMSA_Mean	20.337	< .001	0.074	20.194	< .001	0.081
VRape	252.483	< .001	0.499	250.297	< .001	0.522
GRape	572.247	< .001	0.693	581.166	< .001	0.717
Order	0.365	0.872	0.007	0.994	0.422	0.021
Scenario	2.183	0.115	0.009	1.118	0.327	0.005
Verdict	0.929	0.336	0.004	0.732	0.393	0.003
VRape * GRape	2.198	0.139	0.009	1.326	0.251	0.006
VRape * Order	0.526	0.757	0.01	0.382	0.861	0.008
GRape * Order	0.994	0.422	0.019	0.420	0.835	0.009
Scenario * AMMSA_Mean	3.804	0.024	0.015	1.939	0.146	0.008
Scenario * VRape	44.178	< .001	0.149	49.511	< .001	0.178
Scenario * GRape	46.324	< .001	0.155	54.848	< .001	0.193
Scenario * Order	0.593	0.817	0.012	0.693	0.727	0.015
Verdict * AMMSA_Mean	0.004	0.949	0.000	0.108	0.743	0.000
Verdict * VRape	108.897	< .001	0.301	139.242	< .001	0.378
Verdict * GRape	71.957	< .001	0.221	87.470	< .001	0.276
Verdict * Order	0.251	0.939	0.005	0.836	0.526	0.018
Scenario * Verdict	0.034	0.964	0.000	0.043	0.949	0.000
VRape * GRape * Order	1.352	0.243	0.026	0.983	0.429	0.021

Scenario * VRape * GRape	14.697	< .001	0.055	14.461	< .001	0.059
Scenario * VRape * Order	0.925	0.509	0.018	1.109	0.354	0.024
Scenario * GRape * Order	1.441	0.160	0.028	1.565	0.116	0.033
Verdict * VRape * GRape	3.479	0.063	0.014	6.850	0.009	0.029
Verdict * VRape * Order	0.82	0.536	0.016	0.730	0.602	0.016
Verdict * GRape * Order	0.252	0.939	0.005	0.207	0.959	0.004
Verdict * VRape * GRape * Order	0.887	0.490	0.017	1.047	0.391	0.022
Scenario * Verdict * AMMSA_Mean	1.783	0.170	0.007	0.979	0.372	0.004
Scenario * Verdict * VRape	7.374	0.001	0.028	7.069	0.001	0.030
Scenario * Verdict * GRape	3.716	0.026	0.014	4.686	0.011	0.020
Scenario * Verdict * Order	1.364	0.196	0.026	1.087	0.371	0.023
Scenario * VRape * GRape * Order	0.878	0.552	0.017	0.954	0.482	0.020
Scenario * Verdict * VRape * GRape	4.743	0.010	0.018	6.208	0.003	0.026
Scenario * Verdict * VRape * Order	1.19	0.296	0.023	0.951	0.482	0.020
Scenario * Verdict * GRape * Order	0.755	0.669	0.015	0.643	0.765	0.014
Scenario * Verdict * VRape * GRape * Order	1.571	0.114	0.030	1.008	0.434	0.022

Covariate Effects. The covariate for RMA was significant ($F(1, 253) = 20.34, p < .001, \eta_p^2 = .074$). The initial ANOVA differed from the ANCOVA with the only following effects, which both happened to be within-subjects factors: Verdict ($p < .001 \Rightarrow p = .336$), Scenario ($p < .001 \Rightarrow p = .115$), and Verdict X Scenario ($p < .001 \Rightarrow p = .964$). There was an interaction between Scenario and RMA ($F(1, 253) = 3.804, p = .024, \eta_p^2 = .015$). This further validates the use of RMA in the analysis, and the results following will be reported from the ANCOVA.

Effects for Order. Order was randomized such that participants received all three different scenario types in sex different potential orders. There were no significant effects or interactions including order.

Manipulation checks. Manipulation checks were all-around successful. There was a main effect of gist-rape ($F(1, 253) = 572.25, p < .001, \eta_p^2 = .693$) and of verbatim-rape ($F(1, 253) = 252.48, p < .001, \eta_p^2 = .499$). Throughout each effect and interaction, gist and verbatim consistently have more guilty verdicts than no gist and no verbatim respectively.

Effects for Scenario (Coercion, Deception, Age (revised)). As stated, there was no main effect for scenario ($F(1, 253) = 2.183, p = .115$; see Table 11 for a breakdown by scenario). However, there were multiple interaction effects. Both verbatim-rape ($F(1, 253) = 44.18, p < .001, \eta_p^2 = .149$) and gist-rape ($F(1, 253) = 46.32, p < .001, \eta_p^2 = .155$) interacted with scenario type. Age-related scenarios that did not violate the verbatim law had significantly less guilty responses than both Coercion and Deception ($M \approx -.188, p < .001$). However, when the scenario did violate verbatim law of rape, respondents in the Coercion scenario produced the fewest of guilty verdicts ($M \approx -.190, p < .001$). Age had the largest gap between verbatim and no verbatim ($M = .555, p < .001$), with Deception ($M = .355, p < .001$) and Coercion ($M = .175, p < .001$) following in narrower gaps respectively. There were no otherwise significant pairwise comparisons that have not already been mentioned (i.e. between Deception and Coercion in the *no gist* condition).

Gist effects showed a reversal from verbatim effects across scenario. Scenarios that had no gist qualities of rape had a significantly disproportionate amount of not-guilty verdicts in the Coercion-related scenario ($M \approx -.197, p < .001$), and scenarios with gist qualities of rape had less Age-related guilty verdicts ($M \approx -.189, p < .001$). Coercion had the largest gap between gist and no gist ($M = .740, p < .001$), with Deception ($M = .546, p < .001$) and Age ($M = .350, p < .001$) following in narrower gaps.

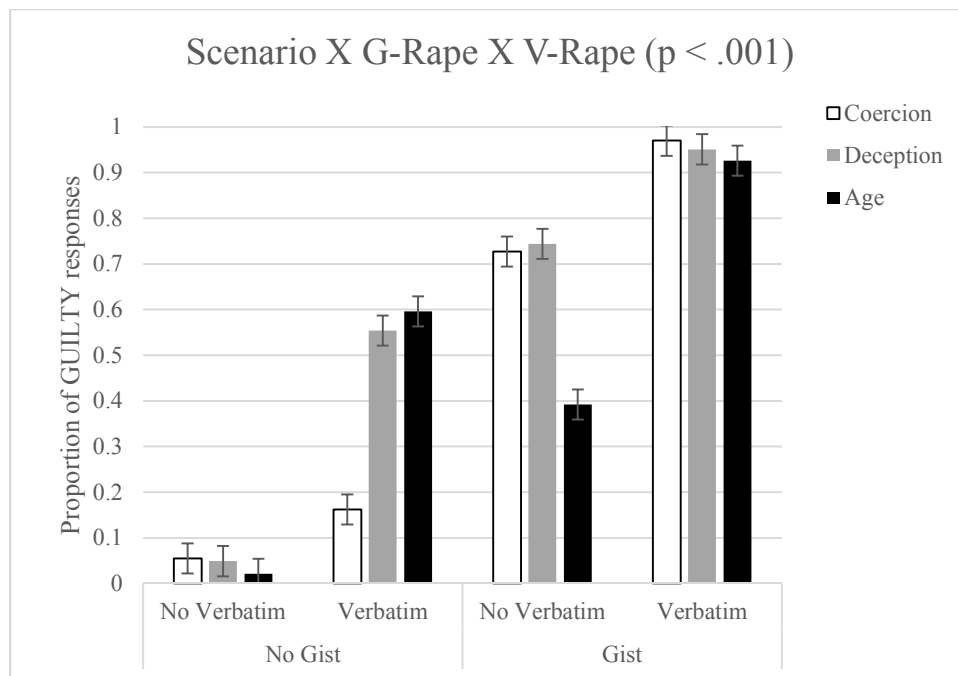


Figure 10 – Three Way Interaction for Experiment 2.

Table 11
Experiment Two Effects by Scenario

DV: Guilty Verdict (0 = Not Guilty, 1 = Guilty)

	Coercion			Deception			Age (Revised)		
	F	p	η_p^2	F	p	η_p^2	F	p	η_p^2
Rape Myth Acceptance	14.40	< .001	0.06	1.15	NS	0.00	6.16	0.014	0.02
Verdict	1.13	NS	0.00	0.08	NS	0.00	0.38	NS	0.00
VRape	34.49	< .001	0.12	119.77	< .001	0.33	344.85	< .001	0.58
GRape	594.86	< .001	0.71	257.98	< .001	0.51	128.73	< .001	0.34
VRape * GRape	3.57	NS	0.01	17.60	< .001	0.07	0.70	NS	0.00
Verdict * VRape	27.20	< .001	0.10	67.07	< .001	0.21	62.02	< .001	0.20
Verdict * GRape	18.38	< .001	0.07	54.42	< .001	0.18	35.12	< .001	0.12
Verdict * VRape * GRape	0.02	NS	0.00	0.59	NS	0.00	12.08	0.001	0.05

DV: Signed Confidence (-100 to +100)

	Coercion			Deception			Age (Revised)		
	F	p	η_p^2	F	p	η_p^2	F	p	η_p^2
Rape Myth Acceptance	21.70	< .001	0.08	4.44	0.036	0.02	10.73	0.001	0.04
Verdict	0.23	NS	0.00	0.00	NS	0.00	0.24	NS	0.00
VRape	39.29	< .001	0.14	132.45	< .001	0.35	374.75	< .001	0.60
GRape	667.55	< .001	0.73	322.29	< .001	0.56	152.98	< .001	0.38
VRape * GRape	6.20	0.013	0.02	14.13	< .001	0.05	0.85	NS	0.00

Verdict * VRape	35.22	< .001	0.12	80.53	< .001	0.24	75.42	< .001	0.23
Verdict * GRape	18.87	< .001	0.07	63.47	< .001	0.20	36.47	< .001	0.13
Verdict * VRape * GRape	0.02	NS	0.00	0.48	NS	0.00	16.67	< .001	0.06

A three-way interaction for scenario, gist-rape and verbatim-rape further explains the preceding two-ways ($F(1, 253) = 14.70, p < .001, \eta_p^2 = .055$; See Figure 6). None of the verdicts varied by scenario for verbatim-gist congruent conditions. The source of the interaction can be seen in the verbatim-gist incongruent conditions. When the scenario violated the law but not the gist, participants gave significantly fewer Coercion guilty verdicts than Age or Deception ($M_{\text{Age}} = -.434, M_{\text{Deception}} = -.392, ps < .001$). When the scenario had gist qualities of rape yet did not break the law, participants gave significantly less guilty verdicts for the Age-related scenario ($M_{\text{Coercion}} = -.335, M_{\text{Deception}} = -.353, ps < .001$).

Effects for Verdict (Legal and Personal). There was no main effect for verdict ($F(1, 253) = .93, p = .336$) once RMA was added as a covariate, though legal guilty verdicts did initially outweigh personal guilty verdicts. There were interactions for gist-rape ($F(1, 253) = 71.97, p < .001, \eta_p^2 = .221$) and verbatim-rape ($F(1, 253) = 108.90, p < .001, \eta_p^2 = .301$).

The interaction between verdict and gist-rape revealed an expected crossover effect for legal and personal verdicts. A resembling effect was also present for the verdict and verbatim-rape interaction. Being in the gist group will results in more personal ($M = .702, p < .001$) and legal ($M = .385, p < .001$) guilty verdicts from there being no gist, though personal guilty verdicts increase at a larger rate. The opposite is true for verbatim: for verbatim, legal guilty verdicts ($M = .559, p < .001$) will increase at a higher rate than personal ($M = .181, p < .001$). At gist and verbatim resting state (meaning there is no gist of rape or violation or rape law), the opposite type of verdict will occur at larger rates. For example, when there is no gist of rape,

there are overall more legal guilty verdicts than personal ($M = .097, p < .001$), and the contrary is true for verbatim ($M = .128, p < .001$). The three-way interaction for verdict, gist-rape and verbatim-rape approached significance ($F(1, 253) = 3.48, p = .063, \eta_p^2 = .014$).

Within-Subjects Interactions. There is a three-way interaction with verdict, scenario and gist-rape ($F(1, 253) = 3.716, p = .026, \eta_p^2 = .014$). As with all of the preceding effects and interactions, all gist conditions had more guilty verdicts than no gist. Significantly more legal guilty verdicts were given when there was no gist of rape than personal. This pattern reversed for each scenario type in the gist condition (meaning verbatim conditions had more legal guilty verdicts than personal) except for Age ($p = .297$). More personal guilty verdicts were given for Deception related scenarios than Coercion overall ($F(1, 253) = , p = .026, \eta_p^2 = .014$). Legal guilty verdicts were given most in Age-related scenarios, followed by Deception ($M = -.267, p < .001$), then Coercion ($M = -.328, p < .001$).

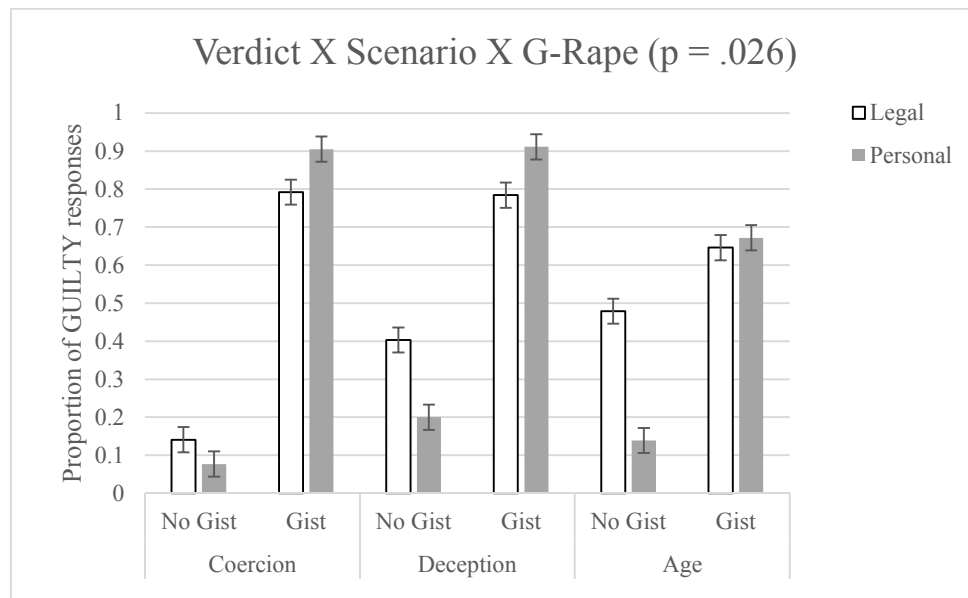


Figure 11 – Three Way Interaction for Experiment 2.

When there was a gist of rape, personal guilty verdicts were given more than legal verdicts in Coercion- ($M = .104, p < .001$) and Deception-related ($M = .143, p < .001$) scenarios, but not Age. Similar to the previous two-way interaction with scenario and gist-rape, Age-related scenarios had the least amount of overall guilty verdicts (From Coercion: $M = -.170, p < .001$; From Deception: $M = -.131, p < .001$).

Another three-way interaction with scenario and verdict was found with verbatim-rape ($F(1, 253) = 7.374, p = .001, \eta_p^2 = .028$). Verbatim condition consistently had more guilty verdicts overall.

When scenarios did not violate the law, legal guilty verdicts were given less often (Age-related scenarios approached significance ($p = .067$)). Personal and legal verdicts were less guilty overall in the Age-related scenarios compared to Coercion and Deception. When the scenario violated rape, Age-related scenarios had the most amount of legal verdicts (From Coercion: $M = .080, p = .018$; From Deception: $M = .334, p < .001$), and had the highest differential from personal verdicts ($M = .402, p < .001$) out of all scenarios.

There was a significant four-way interaction for scenario, verdict, verbatim-rape and gist-rape ($F(1, 253) = 4.743, p = .01, \eta_p^2 = .018$; See Figures 12 and 13). For each scenario, gist was greater than no gist and verbatim was greater than no verbatim, with the exception of when there was a gist of rape for Deception. Across verbatim-rape condition when the gist was rape, there was no significant difference between personal verdicts. Essentially, when the deceptive conditions had the gist of rape, the violation of the law did not modulate the proportion of guilty verdicts.

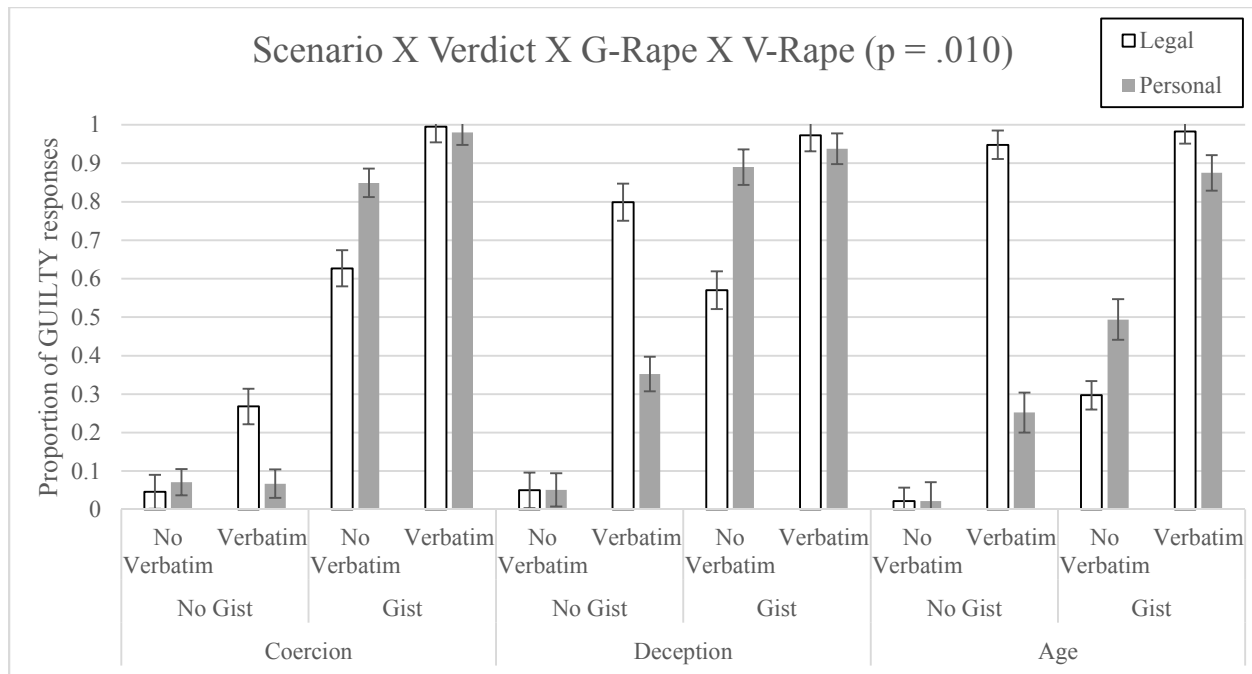


Figure 12 – Four-way interaction for Verdict for Experiment 2.

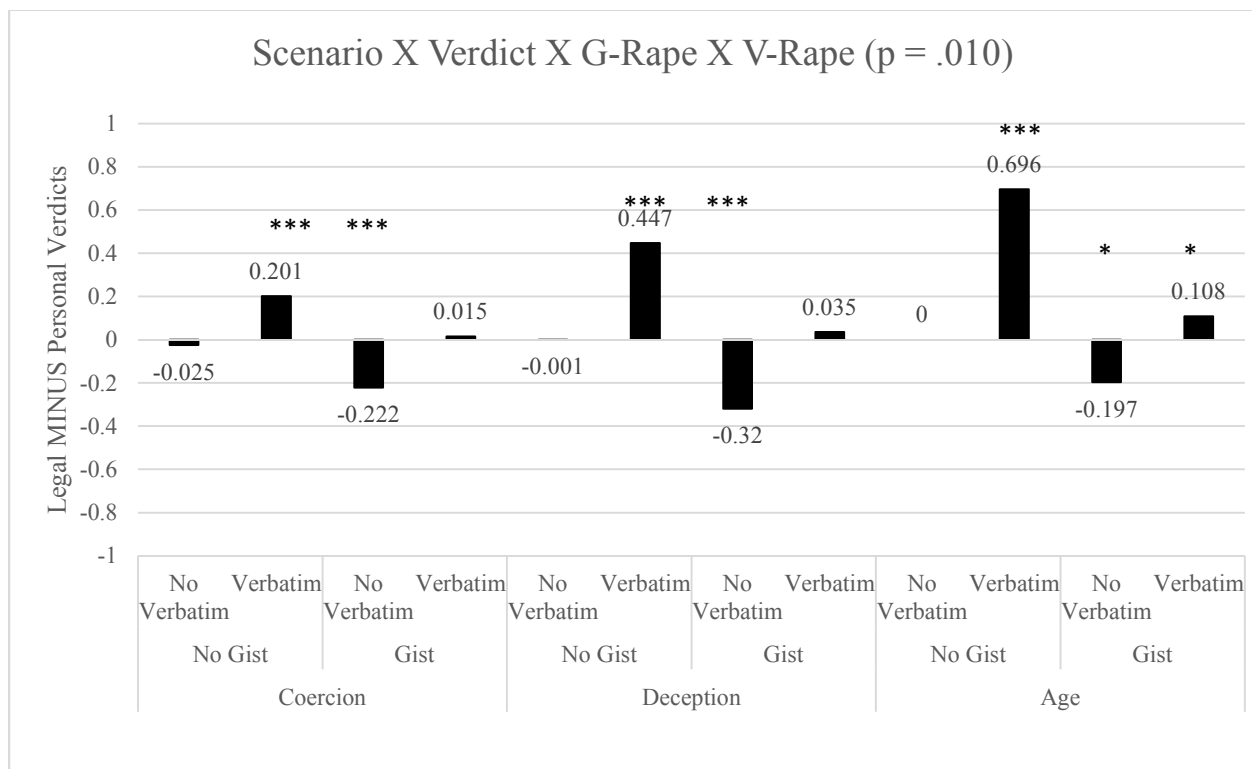


Figure 13 – Four-way interaction with Legal/Personal Mean Differences.

Signed Confidence. The signed confidence analysis revealed an identical set of significant main effects and interactions, with one exception becoming non-significant: the interaction between scenario and the RMA covariate ($p = .024 \Rightarrow p = .146$).

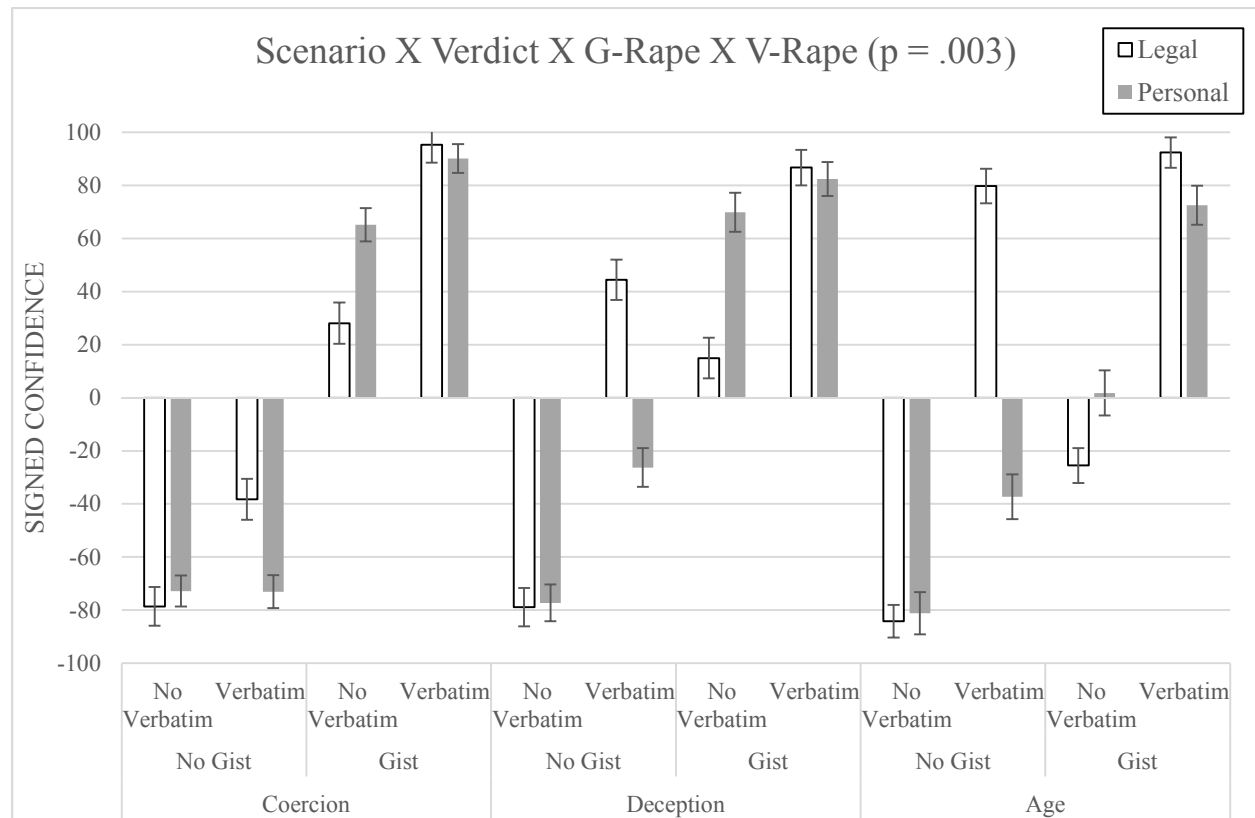


Figure 14 – Four-way interaction for Signed Confidence Experiment 2.

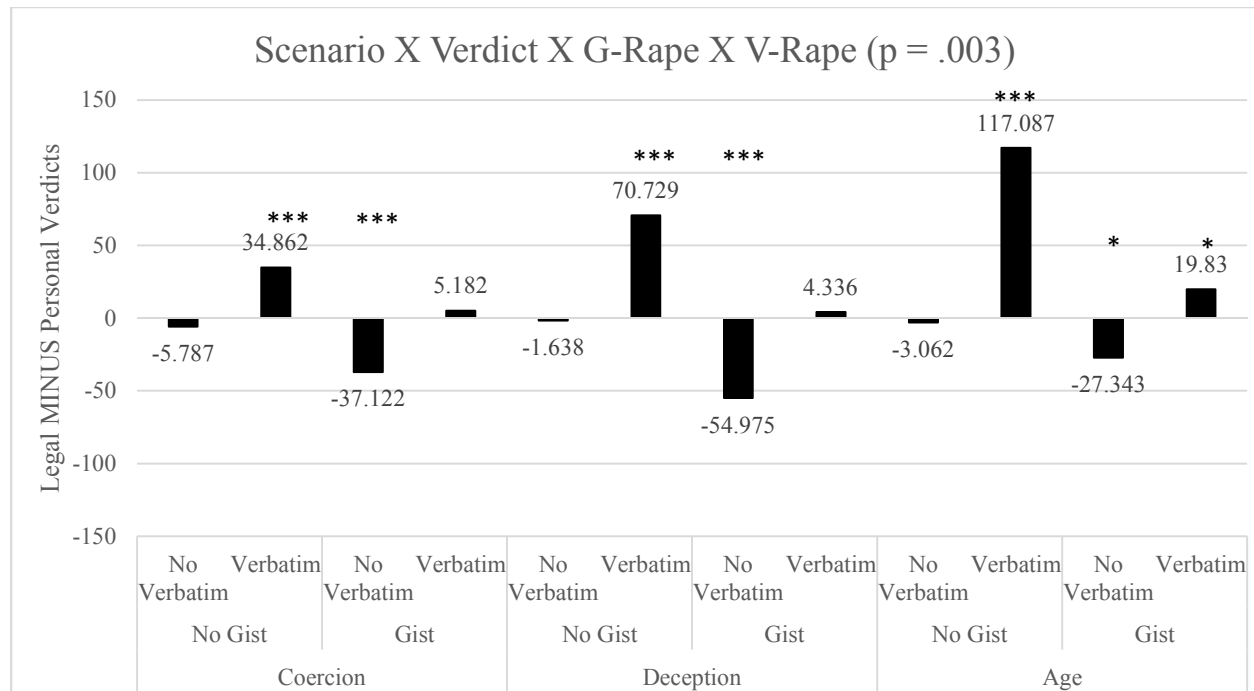


Figure 15 – Four-way interaction with Legal/Personal Mean Differences Signed Confidence.

Differential Effects for Gist and Verbatim.

In order to investigate hypothesized strength of effects, multiple Cohen's d analyses were conducted (see Table 12). I predicted that verbatim-rape would have the strongest effect size for influencing legal and personal verdicts, while gist-rape would have the strongest effect size for Coercion and Deception.

Table 12

Cohen's d for Experiment 2.

	Age ($N = 254$)		Coercion ($N = 254$)		Deception ($N = 255$)	
	Legal	Personal	Legal	Personal	Legal	Personal
Verbatim	2.77	0.87	0.81	0.31	1.56	0.43
Gist	0.5	1.29	1.8	3.11	0.89	2.19

Effect sizes were uniquely strong for verbatim-rape in the Age scenario, though there is no test for significantly different Cohen's d values. Gist, however, had anywhere from large to

huge effect sizes for legal and personal verdicts in Coercion and Deception (Sawilowsky, 2009).

It should be noted that all effects had some strength, with the smallest being in the range from small to medium (.2 - .5) (Cohen, 1988).

Finally, I conducted a linear regression for total mean signed confidence (see Table 13). Though gender approached significance (those who are not cisgender men trend with stronger likelihood to acquit than cisgender men), the regressions only gained meaningful variance when FTT measures were added in the regression as predictors. For both legal and personal verdicts, verbatim-rape ($\beta = .63$, $t(257) = 18.819$, $p < .001$) and gist-rape ($\beta = .53$, $t(257) = 15.659$, $p < .001$) positively predicted signed confidence. Rape myth acceptance negatively predicted legal ($\beta = -.117$, $t(257) = -3.326$, $p = .001$) and personal ($\beta = .175$, $t(257) = -5.379$, $p < .001$) signed confidence in both FTT models. Being a cisgender man predicted lower legal verdict signed confidence in the model excluding FTT measures, though the effect only approached significance ($\beta = -.121$, $t(257) = -1.435$, $p = .066$), and was entirely nonsignificant across remaining models. Survivor status did not significantly predict legal or personal verdict signed confidence.

Table 13
Linear Regression – Total Mean Signed Confidence Experiment 2.

	Legal				Personal			
	Model 1		+FTT		Model 1		+FTT	
	(R _{adj.} ² = .02)		(R _{adj.} ² = .71)		(R _{adj.} ² = .01)		(R _{adj.} ² = .76)	
	β	t	β	t	β	t	β	t
AMMSA	-0.094	-1.435	-0.117*	-3.236*	-0.076	-1.165	-0.175**	-5.379**
Survivor	0.016	0.261	0.008	0.234	-0.036	-0.579	-0.039	-1.276
Gender	-0.121 †	-1.847 †	-0.05	-1.392	-0.096	-1.454	0.004	0.111
V-Rape			0.633**	18.819**			0.228**	7.535**
G-Rape			0.53**	15.659**			0.84**	27.597**

† - $p < .07$, * - $p < .05$, ** - $p < .01$

Demographic analyses.

Analyses were also conducted with a number of demographic variables. Beginning with correlational analyses, rape myth acceptance was measured against gender, age, religious importance, survivor status, whiteness (where 0 is person of color and 1 is white) and income. Two factors were found to have associations with rape myth acceptance: gender and survivor status. Being a cisgender male was associated with rape myth acceptance as opposed to the alternative (i.e. women and gender non-conforming individuals) ($r(489) = .191, p < .001$). This proved inconclusive causally when followed up with a t -test ($t(484) = -1.746, p = .081$), though t -tests for the experiments individually came up as significant ($t(204) = -2.479, p = .018$; $t(251) = -6.072, p < .001$). Being a survivor of assault was negatively associated with RMA ($r(398) = -.132, p = .008$), indicating that survivors tend to hold less rape myths as beliefs. When followed up with a t -test, survivors held significantly less rape myths ($t(396) = 2.656, p = .008$). No other significant effects were found for whiteness, religious importance, socioeconomic status, or age.

Based on these reasons, it would be desirable to add in gender and/or survivor status to the full ANOVA for verbatim and gist. However, as shown in Tables 14 and 15, there are not enough men per cell to run a fair and adequate analysis, nor are there enough to add gender as a covariate (Wilson *et al.*, 2007).

Table 14
Gender Ns by Gist and Verbatim.

		No Gist	Gist
Not CisMan	No Verbatim	43	47
	Verbatim	41	52
CisMan	No Verbatim	25	13
	Verbatim	14	18

Table 15

Survivor Ns by Gist and Verbatim.

		No Gist	Gist
Not Survivor	No Verbatim	50	41
	Verbatim	34	47
Survivor	No Verbatim	17	16
	Verbatim	16	16

Discussion

As predicted, gist was a particularly strong factor in influencing legal and personal verdicts overall. The effect of gist was accentuated by the “gistiness” of the crime. For example, both the Alcohol and the Coercion scenarios involved gut reaction judgments of assault as opposed to a numeric or personhood valuation, like for Age or Deception. That is why these Cohen’s d values are larger, and thus have larger effects. Although Deception was initially predicted to have a stronger gist effect, both effects of gist- and verbatim-rape were strong on legal and personal verdicts.

Verbatim was an effective factor in influencing age legal decisions. I suspect this is due to the valuations expected from the Age-related scenario. Specifically, participants are instructed to analyze whether the assailant is 21, the victim is younger than 17, and ignore all other factors. However, a substantial amount (30%) of responses misinterpret the younger than 17 statute. Specifically, some participants misunderstood the law to mean that 17 was below the age of consent ($M = .32$), which it is not (N.Y. Penal Law § 130.05(3), 2014). One other unexpected result was the legal verdict response in the Coercion scenario when there was a violation of the law with no gist of rape ($M = .27$). This scenario was close to identical to Alcohol in Experiment One, which had a mean of .64. However, one influential piece missing in the new Coercion scenario revealed the likely difference, which was the presence of alcohol.

Future Directions and Policy Implications.

First, those in the psycholegal sphere are often quick to comment on the limitations of college-age samples for juror decision-making paradigms. According to a meta-analysis conducted by Bornstein *et al.* in 2016, guilty verdicts are given more often by students than nonstudents when given written samples. However, this effect is quite small ($d = .06$), and our written materials were fairly sparse. Participants were screened to ensure that they would qualify for a jury, though it may be favorable in the future to seek out actual jurors.

Another next obvious step would be to do gender-based analyses. Rapes are by and large committed by cisgender men (Truman & Morgan, 2015), so I would anticipate differences in rape myth acceptance and overall verdicts by gender identity. Furthermore, possible inclusion of burdens of proof could be utilized in calculating a more ecologically valid variable for guilt. For example, if someone is 55% certain that someone committed a crime, they might be confident enough to hold them liable civilly, but this does not meet the requisite proof threshold requirement for criminal guilt. These analyses could reveal further effects of gist and verbatim on true, ultimate verdicts. It should be noted that jurors are already instructed to answer guilty if and only if they believe it to be so beyond a reasonable doubt. Because of this encouragement to have high confidence, participant confidence scores may be inflated.

Survivors of trauma are routinely excluded from jury selection, yet would hold uniquely untapped wisdom for these paradigms. Therefore, I plan on recruiting a number of survivors of sexual assault to participate in the same paradigm. I expect to see a greater reliance on gist on the part of survivors, especially when the scenario does not violate the law. To investigate whether the “gist inflation” effect is truly occurring due to the perceived injustice of a rape-resembling crime going exonerated, we will ask follow-up questions related to whether survivors would

report from the position of the victim. Additionally, new stimuli will be created to further measure the “gist inflation” effect.

Finally, this work would be of great import to local community service providers for survivors. As survivors live in fear of the adverse effects of reporting and risk of secondary victimization, this information could challenge the manner in which we collectively treat sexual violence. Systems created for the purposes of preserving evidence such as Sexual Assault Nurse Examiners (SANEs) and Sexual Assault Response Teams (SARTs) are excellent starts, but their effect on survivor health is as good as their awareness. Police officers will, however, always be on the front lines to deal with the victim of a crime, and I humbly hope that an open dialogue about promoting positive victim outcomes informed by these data will result in fewer instances of secondary victimization.

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45 C.F.R. § 46 (2009)

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APPENDICES

Appendix 1: Other Figures and Tables

Table 16

Signed Confidence Correlations – Pearson's r.

			V-Rape	G-Rape
Experiment 1	Alcohol	Legal Verdict SC	.295**	.594**
		Personal Verdict SC	.213**	.757**
	Age	Legal Verdict SC	.651**	.171**
		Personal Verdict SC	.369**	.475**
	Coercion	Legal Verdict SC	.301**	.103**
		Personal Verdict SC	.678**	.831**
Experiment 2	Deception	Legal Verdict SC	.575**	.180**
		Personal Verdict SC	.441**	.752**
	Age (revised)	Legal Verdict SC	.788**	.386**
		Personal Verdict SC	.235**	.540**

Table 16
Summaries of Experiments 1 and 2.

Experiment 1			Experiment 2		
	Alcohol	Age	Age (Revised)	Coercion	Deception
N	158	208	279	281	281
Excluded	50 - V0G1 scenario problematic	N/A	2 excluded - old scenario accidentally distributed	N/A	N/A
Gist	No indication of non-consent vs. no indication of consent	Intent to have sex with someone at different developmental stage vs. no intent	Intent to have sex with someone at different developmental stage vs. no intent	Coercion vs. no coercion	Deception vs. no deception
Verbatim	Victim inebriated, but not unconscious vs. inebriated and unconscious	Violates age standard vs. does not violate age standard	Violates age standard vs. does not violate age standard	Violates forcible compulsion standard vs. does not violate forcible compulsion standard	Consciousness vs. no consciousness
V0G0	Two drunk college students have sex.	Two 21 year olds have sex.	Two 21 year olds have sex.	Two new roommates have sex.	A married couple has sex.
V0G1	Two drunk college students have sex. The woman does not resist nor does she participate.	An emancipated 16 year old has sex with a 12 year old who's been held back in school.	A 50 year old high school teacher has sex with his 17 year old student.	New roommate threatens to evict her if she does not have sex with him.	A twin fraudulently presents himself as his brother and has sex with his brother's wife.
V1G0	Two drunk college students have sex, but the woman falls asleep. As soon as the awake participant realizes she's asleep, he immediately separates.	A 16 year old claims to be 18 years old, and she has sex with a 21 year old.	A 16 year old claims to be 18 years old, and she has sex with a 21 year old.	New roommates have sex, but one falls asleep. As soon as the awake participant realizes she's asleep, he immediately separates.	A woman sleepwalks claiming to want sex, and her husband obliges. She wakes up and tells him to stop, and he does.
V1G1	Two drunk college students go back to a dorm for privacy. The woman immediately passes out and the man has sex with her.	A 21 year old has sex with a 15 year old.	A 21 year old has sex with a 12 year old.	New roommate threatens to kill her if she does not have sex with him.	A husband has sex with his wife while she's asleep.

Under our law, a person has committed an act of rape when he or she engages in one or more of the following:

- 1. sexual intercourse with another person by forcible compulsion**
- 2. sexual intercourse with another person who is incapable of consent by reason of being physically helpless; OR**
- 3. sexual intercourse with another person without such person's consent**

Some of the terms used in this definition have their own special meaning in our law. I will now give you the meaning of the following terms: "sexual intercourse", "forcible compulsion", "incapable of consent", "physically helpless", and "without such person's consent."

SEXUAL INTERCOURSE means any penetration, however slight, of the penis into the vaginal opening. In other words, any penetration of the penis into the vaginal opening, regardless of the distance of penetration, constitutes an act of sexual intercourse. Sexual intercourse does not necessarily require erection of the penis, emission, or orgasm.

FORCIBLE COMPULSION means to intentionally compel either:

- 1. by the use of physical force; OR**
- 2. by a threat, express or implied, which places a person in fear of immediate death or physical injury to himself or herself [or another person] or in fear that he or she [or another person] will immediately be kidnapped.**

A person is **INCAPABLE OF CONSENT** when that person is physically helpless.

PHYSICALLY HELPLESS means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act. Thus, sexual intercourse with such a person is always, under our law, deemed to be without that person's consent.

A person engages in sexual intercourse with another person **WITHOUT SUCH PERSON'S CONSENT** when there is a lack of consent to the act. Lack of consent results from circumstances under which, at the time of the act of intercourse, the complainant clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood the complainant's words and acts as an expression of lack of consent to such act under all the circumstances.

If you believe that a person has committed one or more of these acts **BEYOND A REASONABLE DOUBT**, you must find that person guilty of committing an act of rape.

The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt

Figure 16 – Jury Instructions for Experiment 2 Coercion.

Under our law, a person has committed an act of rape when he or she engages in one or more of the following:

1. sexual intercourse with another person who is incapable of consent by reason of being physically helpless; OR
2. sexual intercourse with another person without such person's consent

Some of the terms used in this definition have their own special meaning in our law. I will now give you the meaning of the following terms: "sexual intercourse", "incapable of consent", "physically helpless", and "without such person's consent."

SEXUAL INTERCOURSE means any penetration, however slight, of the penis into the vaginal opening. In other words, any penetration of the penis into the vaginal opening, regardless of the distance of penetration, constitutes an act of sexual intercourse. Sexual intercourse does not necessarily require erection of the penis, emission, or orgasm.

A person is INCAPABLE OF CONSENT when that person is physically helpless. PHYSICALLY HELPLESS means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act. Thus, sexual intercourse with such a person is always, under our law, deemed to be without that person's consent.

A person engages in sexual intercourse with another person WITHOUT SUCH PERSON'S CONSENT when there is a lack of consent to the act. Lack of consent results from circumstances under which, at the time of the act of intercourse, the complainant clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood the complainant's words and acts as an expression of lack of consent to such act under all the circumstances.

If you believe that a person has committed one or more of these acts BEYOND A REASONABLE DOUBT, you must find that person guilty of committing an act of rape.

The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime.

Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.

If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

Figure 17 – Jury Instructions for Experiment 2 Deception.

Under our law, a person has committed an act of rape when being twenty-one (21) years old or more, he or she engages in sexual intercourse with another person less than seventeen (17) years old.

Under our law, it is also an element of this offense that the sexual intercourse was committed without the consent of that other person. Sexual intercourse takes place without a person's consent when that person is deemed by law to be incapable of consent. Under our law, a person is deemed incapable of consenting to sexual intercourse when he or she is less than seventeen (17) years old. Thus, the law deems sexual intercourse with such a person to be without that person's consent, even if in fact that person did consent.

The term, "sexual intercourse," used in the definition of this crime has its own special meaning in our law. I will now give you the meaning of that term.

SEXUAL INTERCOURSE means any penetration, however slight, of the penis into the vaginal opening. In other words, any penetration of the penis into the vaginal opening, regardless of the distance of penetration, constitutes an act of sexual intercourse. Sexual intercourse does not necessarily require erection of the penis, emission, or orgasm.

If you believe that a person has committed these acts **BEYOND A REASONABLE DOUBT**, you must find that person guilty of committing an act of rape.

The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime.

Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.

Figure 18 – Jury Instructions for Experiment 2 Age.

Appendix 2: Experiment 1 Survey

Gist of Sexual Consent - Students and General Public

Consent Informed Consent Form for Cornell University Behavioral Studies

I am asking you to participate in a research study. This form is designed to give you information about this study. I will describe this study to you and answer any of your questions. Please read this form carefully and ask any questions you may have before agreeing to take part in the study.

Project Title: The Gist of Sexual Consent Contact Person: Alisha Meschkow,
am2769@cornell.edu, [602-509-1030] Principal Investigator: Professor Valerie Reyna, Human
Development [607-254-1172 or 607-254-1504]

What the study is about: The purpose of this study is to understand how people make judgments about consent involved in sexual scenarios. What we will ask you to do: If you agree to be in this study, we will ask you to do the following: Answer some questions about how you view specific sexual scenarios and legal instructions. This study also has survey questions that may ask you to rate how much you agree with certain value statements related to emotion and behaviors, such as sexual activity and drinking alcohol. The questionnaire usually takes about 1-2 hours to complete. We will be piloting some of these measures separately, and that is why the amount of time may vary.

Risks and benefits: There are no direct benefits to participating other than the possibility that some people may gain greater insight into their own thinking and decision making. Indirect benefits to participation include contribution to scientific knowledge, which the investigator hopes will ultimately improve understanding of sexual communication and combat prevalence of sexual assault. We do not anticipate any risks for participating in this study other than those encountered in day-to-day life. Some subjects will encounter questions that deal with emotionally sensitive material that may be upsetting like sexual violence. Some subjects will encounter survey questions that ask about sensitive information, such as sexual activity or drinking alcohol--but note that your data will be confidential. The responses you provide today are being collected on the computer and will not be associated with your identity. Your answers will be password protected on a server. Nevertheless, despite these safeguards, there is always a remote possibility that your answers you provide could be obtained by an unauthorized party.

Payment for participation: There will be no monetary compensation for taking part in the study; however, if you are a Cornell University student, you may earn extra credit if you are taking a class that offers credit for research studies. The class instructor will assign credit according to class policy.

Confidentiality: Servers and computers where the data are stored are password protected. Any paper surveys will be kept in locked rooms. Any online data will be password protected. Only people authorized by Dr. Reyna will be granted access to the data. The data will be used for research and educational purposes, such as teaching, publications, and/or presentations and may

be viewed by students, other trainees, and professional colleagues. In any sort of report we make public, we will not include any information that will make it reasonably possible to identify you. Participant names and contact information will be stored separately from data. Your data will be assigned an identification code, which will be used in place of your name to allow linkage of data if follow up is necessary. We will review our data storage requirements periodically to determine if data need to be discarded. We may retain your de-identified data for future research. Internet communications are neither private nor secure. Although we are taking precautions to protect your privacy, you should be aware that information sent electronically could be read by a third party. Please note that the survey is being conducted with the help of Qualtrics Inc., a company not affiliated with Cornell University and with its own privacy and security policies that you can find at its website. We anticipate that your participation in this survey presents no greater risk than everyday use of the Internet. Please note that email communication is neither private nor secure. Though we are taking precautions to protect your privacy, you should be aware that information sent through e-mail could be read by a third party.

Taking part is voluntary: Taking part in this study is completely voluntary. If you have no objection to a question, then please answer every question. It is better to answer than to leave it blank (even if you are unsure). If you decide not to take part or not to complete the study, it will not affect your current or future relationship with Cornell University. If you decide to take part, you are free to withdraw at any time.

If you have questions: Please ask any questions you have now. If you have questions later, you may contact the research assistant Alisha Meschkow at am2769@cornell.edu or at 602-509-1030. If you have any questions or concerns regarding your rights as a subject in this study, you may contact the Institutional Review Board (IRB) for Human Participants at 607-255-5138 or access their website at <http://www.irb.cornell.edu>. You may also report your concerns or complaints anonymously through Ethicspoint online at www.hotline.cornell.edu or by calling toll free at 1-866-293-3077. Ethicspoint is an independent organization that serves as a liaison between Cornell University and the person bringing the complaint so that anonymity can be ensured. You will be given a copy of this form to keep for your records.

Statement of Consent: I have read the above information, and have received answers to any questions I asked. I consent to take part in the study. Please select an option below:

- ☐ I agree to participate in this study. (1)
- ☐ I do not agree to participate in this study. (2)

Q107 Are you at least 18 years old?

- ☐ Yes (1)
- ☐ No (2)

Alc V1G1 Text Consider the following scenario: Allen and Tara are both college students at a mixer. Both have been drinking past the point of being able to drive. Allen and Tara are kissing

and decide to go back to Tara's dorm room for some privacy. Tara stumbles into the room and immediately passes out. Allen has sex with Tara.

Now, please consider the following carefully:

Under our law, a person has committed an act of rape when he or she engages in sexual intercourse with another person who is incapable of consent by reason of being physically helpless. Some of the terms used in this definition have their own special meaning in our law.

A person is INCAPABLE OF CONSENT when that person is physically helpless. PHYSICALLY HELPLESS means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act. Thus, sexual intercourse with such a person is always, under our law, deemed to be without that person's consent.

If you believe that a person has committed these acts BEYOND A REASONABLE DOUBT, you must find that person guilty of committing an act of rape.

The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime.

Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.

If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

Alc V1G1 V Verdict According to the law, is Allen guilty of committing an act of rape?

- ☐ Yes (1)
- ☐ No (2)

Q115 Please state your reasoning.

Alc V1G1 V SignCon On a scale of 0 to 100, how confident are you in your answer?

_____ (1)

Alc V1G1 G Verdict According to your own reasoning, did Allen commit an act of rape?

- ☐ Yes (1)
☐ No (2)

Alc V1G1 G SignCon On a scale of 0 to 100, how confident are you in your answer?

_____ (1)

Alc V1G0 Text

Consider the following scenario:

Allen and Tara are both college students at a mixer. Both have been drinking past the point of being able to drive. Allen and Tara are kissing and decide to go back to Tara's dorm room for some privacy. The two start to have sex. At first, Tara was very enthusiastic with Allen. Allen does not notice Tara has fallen asleep. As soon as Allen realizes Tara is asleep, he immediately separates from her.

Now, please consider the following carefully:

Under our law, a person has committed an act of rape when he or she engages in sexual intercourse with another person who is incapable of consent by reason of being physically helpless. Some of the terms used in this definition have their own special meaning in our law.

A person is INCAPABLE OF CONSENT when that person is physically helpless. PHYSICALLY HELPLESS means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act. Thus, sexual intercourse with such a person is always, under our law, deemed to be without that person's consent.

If you believe that a person has committed these acts BEYOND A REASONABLE DOUBT, you must find that person guilty of committing an act of rape.

The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of

the existence of any element of the crime or of the defendant's identity as the person who committed the crime.

Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.

If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

Alc V1G0 V Verdict According to the law, did Allen commit an act of rape?

- ☐ Yes (1)
- ☐ No (2)

Alc V1G0 V SignCon On a scale of 0 to 100, how confident are you in your answer?

_____ (1)

Alc V1G0 G Verdict According to your own reasoning, did Allen commit an act of rape?

- ☐ Yes (1)
- ☐ No (2)

Alc V1G0 G SignCon On a scale of 0 to 100, how confident are you in your answer?

_____ (1)

Alc V0G1 Text Consider the following scenario:

Allen and Tara are both college students at a mixer. Both have been drinking past the point of being able to drive. Allen and Tara are kissing and decide to go back to Tara's dorm room for some privacy. Tara feels "heavy" from the alcohol. When Allen starts to have sex with Tara, she does not resist, but she does not actively participate.

Now, please consider the following carefully:

Under our law, a person has committed an act of rape when he or she engages in sexual intercourse with another person who is incapable of consent by reason of being physically helpless. Some of the terms used in this definition have their own special meaning in our law.

A person is INCAPABLE OF CONSENT when that person is physically helpless.
PHYSICALLY HELPLESS means that a person is unconscious or for any other reason is

physically unable to communicate unwillingness to an act. Thus, sexual intercourse with such a person is always, under our law, deemed to be without that person's consent.

If you believe that a person has committed these acts BEYOND A REASONABLE DOUBT, you must find that person guilty of committing an act of rape.

The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime.

Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.

If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

Alc V0G1 V Verdict According to the law, is Allen guilty of committing an act of rape?

- ☐ Yes (1)
- ☐ No (2)

Alc V0G1 V SignCon On a scale of 0 to 100, how confident are you in your answer?

_____ (1)

Alc V0G1 G Verdict According to your own reasoning, did Allen commit an act of rape?

- ☐ Yes (1)
- ☐ No (2)

Alc V0G1 G SignCon On a scale of 0 to 100, how confident are you in your answer?

_____ (1)

Alc V0G0 Text Consider the following scenario:

Allen and Tara are both college students at a mixer. Both have been drinking, but only a few drinks each. Allen and Tara are kissing and decide to go back to Tara's dorm room for some privacy. The two start to have sex.

Now, please consider the following carefully:

Under our law, a person has committed an act of rape when he or she engages in sexual intercourse with another person who is incapable of consent by reason of being physically helpless. Some of the terms used in this definition have their own special meaning in our law.

A person is INCAPABLE OF CONSENT when that person is physically helpless. PHYSICALLY HELPLESS means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act. Thus, sexual intercourse with such a person is always, under our law, deemed to be without that person's consent.

If you believe that a person has committed these acts BEYOND A REASONABLE DOUBT, you must find that person guilty of committing an act of rape.

The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime.

Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.

If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

Alc V0G0 V Verdict According to the law, did Allen commit an act of rape?

- ☐ Yes (1)
- ☐ No (2)

Alc V0G0 V SignCon On a scale of 0 to 100, how confident are you in your answer?

_____ (1)

Alc V0G0 G Verdict According to your own reasoning, did Allen commit an act of rape?

- ☐ Yes (1)
- ☐ No (2)

Alc V0G0 G SignCon On a scale of 0 to 100, how confident are you in your answer?

_____ (1)

Age V1G1 Text Consider the following scenario:

Lloyd and Marie are in a relationship. Lloyd is 21 years old, and Marie is 12 years old. The two have sex.

Now, please consider the following carefully:

Under our law, a person has committed an act of rape when being twenty-one (21) years old or more, he or she engages in sexual intercourse with another person less than seventeen (17) years old.

Under our law, it is also an element of this offense that the sexual intercourse was committed without the consent of that other person. Sexual intercourse takes place without a person's consent when that person is deemed by law to be incapable of consent. Under our law, a person is deemed incapable of consenting to sexual intercourse when he or she is less than seventeen (17) years old. Thus, the law deems sexual intercourse with such a person to be without that person's consent, even if in fact that person did consent.

If you believe that a person has committed these acts **BEYOND A REASONABLE DOUBT**, you must find that person guilty of committing an act of rape.

The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime. Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.

If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

Age V1G1 V Verdict According to the law, is Lloyd guilty of committing an act of rape?

- ☐ Yes (1)
- ☐ No (2)

Age V1G1 V SignCon On a scale of 0 to 100, how confident are you in your decision?

_____ (1)

Age V1G1 G Verdict According to your own reasoning, did Lloyd commit an act of rape?

- ☐ Yes (1)
- ☐ No (2)

Age V1G1 G SignCon On a scale of 0 to 100, how confident are you in your decision?

_____ (1)

Age V0G1 Text Consider the following scenario:

Lloyd and Marie are in a relationship. Lloyd is 16 years old, emancipated and living alone. Marie is 12 years old, but was held back two years in school. Lloyd and Marie are three and a half years apart in age. The two have sex.

Now, please consider the following carefully:

Under our law, a person is guilty of rape when, being an adult, he or she engages in sexual intercourse with another person less than fifteen (15) years old. Under our law, a person is tried as an adult when they are 16 years old, and the consideration of their youth will be taken into account not for their potential guilt, but for sentencing.

Under our law, it is also an element of this offense that the sexual intercourse was committed without the consent of that other person. Sexual intercourse takes place without a person's consent when that person is deemed by law to be incapable of consent. Under our law, a person is deemed incapable of consenting to sexual intercourse when he or she is less than seventeen (17) years old. Thus, the law deems sexual intercourse with such a person to be without that person's consent, even if in fact that person did consent.

Under our law, it is an affirmative defense to a prosecution for this crime that the defendant was less than four (4) years older than the complainant at the time of the act. If you find that the the defendant was less than four years older than the complainant, then you must find the defendant not guilty of Rape.

If you believe that a person has committed these acts BEYOND A REASONABLE DOUBT, you must find that person guilty of committing an act of rape.

The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a

matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime.

Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.

If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime AND/OR you find that the affirmative defense has been proven beyond a preponderance of the evidence (that it has been proven to be more likely than not), you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime AND that the affirmative defense has not been proven beyond a preponderance of the evidence, you must find the defendant guilty of that crime.

Age V0G1 V Verdict According to the law, is Lloyd guilty of committing an act of rape?

- ☐ Yes (1)
- ☐ No (2)

Age V0G1 V SignCon On a scale of 0 to 100, how confident are you in your decision?

_____ (1)

Age V0G1 G Verdict According to your own reasoning, did Lloyd commit an act of rape?

- ☐ Yes (1)
- ☐ No (2)

Age V0G1 G SignCon On a scale of 0 to 100, how confident are you in your decision?

_____ (1)

Age V1G0 Text Consider the following scenario:

Lloyd and Marie are in a relationship. Lloyd is 21 years old, and Marie is 16 years old. However, Lloyd thinks Marie is 18 years old. The two have sex.

Now, please consider the following carefully:

Under our law, a person has committed an act of rape when being twenty-one (21) years old or more, he or she engages in sexual intercourse with another person less than seventeen (17) years old.

Under our law, it is also an element of this offense that the sexual intercourse was committed without the consent of that other person. Sexual intercourse takes place without a person's consent when that person is deemed by law to be incapable of consent. Under our law, a person is deemed incapable of consenting to sexual intercourse when he or she is less than seventeen

(17) years old. Thus, the law deems sexual intercourse with such a person to be without that person's consent, even if in fact that person did consent.

If you believe that a person has committed these acts BEYOND A REASONABLE DOUBT, you must find that person guilty of committing an act of rape. The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime. Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.

If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

Age V1G0 V Verdict According to the law, is Lloyd guilty of committing an act of rape?

- ☐ Yes (1)
- ☐ No (2)

Age V1G0 V SignCon On a scale of 0 to 100, how confident are you in your decision?
 _____ (1)

Age V1G0 G Verdict According to your own reasoning, did Lloyd commit an act of rape?

- ☐ Yes (1)
- ☐ No (2)

Age V1G0 G Verdict On a scale of 0 to 100, how confident are you in your decision?

_____ (1)

Age V0G0 Text Consider the following scenario:

Lloyd and Marie are in a relationship. Lloyd and Marie are both 21 years old. The two have sex.

Now, please consider the following carefully:

Under our law, a person has committed an act of rape when being twenty-one (21) years old or more, he or she engages in sexual intercourse with another person less than seventeen (17) years old.

Under our law, it is also an element of this offense that the sexual intercourse was committed without the consent of that other person. Sexual intercourse takes place without a person's consent when that person is deemed by law to be incapable of consent. Under our law, a person is deemed incapable of consenting to sexual intercourse when he or she is less than seventeen (17) years old. Thus, the law deems sexual intercourse with such a person to be without that person's consent, even if in fact that person did consent.

If you believe that a person has committed these acts BEYOND A REASONABLE DOUBT, you must find that person guilty of committing an act of rape. The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime. Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.

If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

Age V0G0 V Verdict According to the law, is Lloyd guilty of committing an act of rape?

☐ Yes (1)

☐ No (2)

Age V0G0 V SignCon On a scale of 0 to 100, how confident are you in your decision?
_____ (1)

Age V0G0 G Verdict According to your own reasoning, did Lloyd commit an act of rape?

☐ Yes (1)

☐ No (2)

Age V0G0 G SignCon On a scale of 0 to 100, how confident are you in your decision?
_____ (1)

IRMA Indicate how strongly you agree or disagree with the statement.

	Strongly Disagree (1)	Disagree (2)	Neutral (3)	Agree (4)	Strongly Agree (5)
A woman who is raped while she is drunk is at least somewhat responsible. (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Although most women wouldn't admit it, they generally like being physically forced to have sex. (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If a woman is willing to "make out" with a guy, then it's no big deal if he goes a little further and has sex with her. (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Many women secretly desire to be raped. (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If a woman doesn't physically fight back, you can't really say that it was rape. (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Men from nice middle-class homes almost never rape. (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Rape accusations are often used as a way of getting back at men. (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Usually, only women who dress sexy are raped. (8)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If the rapist doesn't have a weapon, you really can't call it a rape. (9)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Rape is unlikely to happen in a woman's own neighborhood. (10)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Women tend to exaggerate how much rape affects them. (11)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A lot of women lead a man on and then they cry rape. (12)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A woman who "teases" men deserves anything that might happen. (13)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
When women are raped, it's often because the way they said "no" was unclear. (14)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Men don't usually intend to force sex on a woman, but sometimes they get too sexually carried away. (15)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A woman who dresses in skimpy clothes should not be surprised if a man tries to force her to have sex. (16)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Rape happens when a man's sex drive gets out of control. (17)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

AMMSA Indicate how strongly you agree or disagree with the statement.

	Completel y Disagree (1)	Disagre e (2)	Disagree Somewha t (3)	Neutra l (4)	Agree Somewha t (5)	Agre e (6)	Completel y Agree (7)
When it comes to sexual contacts, women expect men to take the lead. (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Once a man and a woman have started "making out", a woman's misgivings against sex will automatically disappear. (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A lot of women strongly complain about sexual infringements for no real reason, just to appear emancipated. (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
To get custody for their children, women often falsely accuse their ex-husband of a tendency toward sexual violence. (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Interpreting harmless gestures as "sexual harassment" is a popular weapon in the battle of the sexes. (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
It is a biological necessity for men to release sexual pressure from time to time. (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
After a rape, women nowadays receive ample support. (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Nowadays, a large proportion of rapes is partly caused by the depiction of sexuality in the media as this raises the sex drive of potential perpetrators. (8)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If a woman invites a man to her home for a cup of coffee after a night out this means that she wants to have sex. (9)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
As long as they don't go too far, suggestive remarks and allusions simply tell a woman that she is attractive. (10)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Any woman is careless enough to walk through "dark alleys" at night is partly to be blamed if she is raped. (11)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
When a woman starts a relationship with a man, she must be aware that the man will assert his right to have sex. (12)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Most women prefer to be praised for their looks rather than their intelligence. (13)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Because the fascination caused by sex is disproportionately large, our society's sensitivity to crimes in this area is disproportionate as well. (14)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Women like to play coy. This does not mean that they do not want sex. (15)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Many women tend to exaggerate the problem of male violence. (16)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
When a man urges his female partner to have sex, this cannot be called rape. (17)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
When a single woman invites a single man to her apartment she signals that she is not averse to having sex. (18)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
When politicians deal with the topic of rape, they do so mainly because this topic is likely to attract the attention of the media. (19)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
When defining "marital rape", there is no clear-cut distinction between normal conjugal	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

intercourse and rape. (20)							
A man's sexuality functions like a steam boiler - when the pressure gets too high, he has to "let off steam". (21)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Women often accuse their husbands of marital rape just to retaliate for a failed relationship. (22)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The discussion about sexual harassment on the job has mainly resulted in many a harmless behavior being misinterpreted as harassment. (23)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
In dating situations the general expectation is that the woman "hits the brakes" and the man "pushes ahead". (24)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Although the victims of armed robbery have to fear for their lives, they receive far less psychological support than do rape victims. (25)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Alcohol is often the culprit when a man rapes a woman. (26)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Many women tend to	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

misinterpret a well-meant gesture as a "sexual assault". (27)							
Nowadays, the victims of sexual violence receive sufficient help in the form of women's shelters, therapy offers, and support groups. (28)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Instead of worrying about alleged victims of sexual violence society should rather attend to more urgent problems, such as environmental destruction. (29)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Nowadays, men who really sexually assault women are punished justly. (30)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

SRP III Please rate the degree to which you agree with the following statements about you.

	Disagree Strongly (1)	Disagree (2)	Neutral (3)	Agree (4)	Agree Strongly (5)
I'm a rebellious person. (Q693_1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I'm more tough-minded than other people. (Q693_2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I think I could "beat" a lie detector. (Q693_3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have taken illegal drugs (e.g., marijuana, ecstasy). (Q693_4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have never been involved in delinquent gang activity. (Q693_5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

I have never stolen a truck, car or motorcycle. (Q693_6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Most people are wimps. (Q693_7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I purposely flatter people to get them on my side. (Q693_8)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I've often done something dangerous just for the thrill of it. (Q693_9)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have tricked someone into giving me money. (Q693_10)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
It tortures me to see an injured animal. (Q693_11)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have assaulted a law enforcement official or social worker. (Q693_12)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have pretended to be someone else in order to get something. (Q693_13)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I always plan out my weekly activities. (Q693_14)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I like to see fist-fights. (Q693_15)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I'm not tricky or sly. (Q693_16)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I'd be good at a dangerous job because I make fast decisions. (Q693_17)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have never tried to force someone to have sex. (Q693_18)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My friends would say that I am a warm person. (Q693_19)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I would get a kick out of "scamming" someone. (Q693_20)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have never attacked someone with the idea of injuring them. (Q693_21)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I never miss appointments. (Q693_22)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I avoid horror movies. (Q693_23)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I trust other people to be honest. (Q693_24)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I hate high speed driving. (Q693_25)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I feel so sorry when I see a homeless person. (Q693_26)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

It's fun to see how far you can push people before they get upset. (Q693_27)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I enjoy doing wild things. (Q693_28)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have broken into a building or vehicle in order to steal something or vandalize. (Q693_29)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I don't bother to keep in touch with my family anymore. (Q693_30)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I find it difficult to manipulate people. (Q693_31)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I rarely follow the rules. (Q693_32)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I never cry at movies. (Q693_33)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have never been arrested. (Q693_34)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
You should take advantage of other people before they do it to you. (Q693_35)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I don't enjoy gambling for real money. (Q693_36)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
People sometimes say that I'm cold-hearted. (Q693_37)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
People can usually tell if I am lying. (Q693_38)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I like to have sex with people I barely know. (Q693_39)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I love violent sports and movies. (Q693_40)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sometimes you have to pretend you like people to get something out of them. (Q693_41)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I am an impulsive person. (Q693_42)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have taken hard drugs (e.g., heroin, cocaine). (Q693_43)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I'm a soft-hearted person. (Q693_44)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I can talk people into anything. (Q693_45)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I never shoplifted from a store. (Q693_46)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

I don't enjoy taking risks. (Q693_47)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
People are too sensitive when I tell them the truth about themselves. (Q693_48)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I was convicted of a serious crime. (Q693_49)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Most people tell lies everyday. (Q693_50)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I keep getting in trouble for the same things over and over. (Q693_51)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Every now and then I carry a weapon (knife or gun) for protection. (Q693_52)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
People cry way too much at funerals. (Q693_53)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
You can get what you want by telling people what they want to hear. (Q693_54)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I get easily bored. (Q693_55)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I never feel guilty over hurting others. (Q693_56)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have threatened people into giving me money, clothes, or makeup. (Q693_57)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A lot of people are "suckers" and can be easily fooled. (Q693_58)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I admit that I often "mouth off" without thinking. (Q693_59)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I sometimes dump friends that I don't need any more. (Q693_60)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I would never step on others to get what I want. (Q693_61)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have close friends who served time in prison. (Q693_62)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I purposely tried to hit someone with the vehicle I was driving. (Q693_63)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have violated my parole from prison. (Q693_64)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q18 Please write in your answers to the following questions.

CRT1 A bat and a ball cost \$1.10 in total. The bat costs \$1.00 more than the ball. How much does the ball cost?

CRT2 If it takes 5 machines 5 minutes to make 5 widgets, how long would it take 100 machines to make 100 widgets?

CRT3 In a lake, there is a patch of lily pads. Every day, the patch doubles in size. If it takes 48 days for the patch to cover the entire lake, how long would it take for the patch to cover half of the lake?

Q126 Please answer the following. All of your answers are completely confidential.

Education Self What is YOUR highest level of education completed?

- ☐ graduate/professional training (7)
- ☐ standard college or university graduation (6)
- ☐ partial college, at least one year of specialized training (5)
- ☐ high school graduate (4)
- ☐ partial high school, 10th or 11th grade (3)
- ☐ junior high school, including 9th grade (2)
- ☐ less than 7th grade (1)
- ☐ not applicable or unknown (0)

Income self What is YOUR personal yearly income?

- ☐ less than \$15,000 (1)
- ☐ \$15,001 - \$25,000 (2)
- ☐ \$25,001 - \$35,000 (3)
- ☐ \$35,001 - \$50,000 (4)
- ☐ \$50,001 - \$75,000 (5)
- ☐ \$75,001 - \$100,000 (6)
- ☐ \$100,001 - \$150,000 (7)
- ☐ more than \$150,000 (8)

Q109 What is YOUR occupation? If you are retired, please choose your most recent occupation.

- ☐ Student (7)
- ☐ Unemployed person (6)
- ☐ Farm Laborers and Menial Service Workers (5)
- ☐ Unskilled Workers (13)
- ☐ Machine operators and Semiskilled Workers (14)
- ☐ Skilled Manual Workers, Craftsmen, and Tenant Farmers (16)
- ☐ Clerical and Sales Workers (17)
- ☐ Technicians, Semiprofessionals (18)
- ☐ Managers and Minor Professionals (19)
- ☐ Farm Owners and Small Business Owners (9)
- ☐ Administrators, Lesser Professionals, and Proprietors of Medium-Sized Businesses (21)
- ☐ Higher executives, Proprietors of Large Businesses, and Major Professionals (22)
- ☐ Other (fill in): (20) _____

Q32 Please answer the following about your spouse or significant other.

HollingsEd SO What is your SPOUSE or SIGNIFICANT OTHER's highest level of education completed?

- ☐ graduate/professional training (7)
- ☐ standard college or university graduation (6)
- ☐ partial college, at least one year of specialized training (5)
- ☐ high school graduate (4)
- ☐ partial high school, 10th or 11th grade (3)
- ☐ junior high school, including 9th grade (2)
- ☐ less than 7th grade (1)
- ☐ not applicable or unknown (0)
- ☐ I do not have a spouse/significant other (9)

Q121 What is your SPOUSE or SIGNIFICANT OTHER's yearly income?

- ☐ less than \$15,000 (1)
- ☐ \$15,001 - \$25,000 (2)
- ☐ \$25,001 - \$35,000 (3)
- ☐ \$35,001 - \$50,000 (4)
- ☐ \$50,001 - \$75,000 (5)
- ☐ \$75,001 - \$100,000 (6)
- ☐ \$100,001 - \$150,000 (7)
- ☐ more than \$150,000 (8)
- ☐ I do not have a spouse/significant other (9)

Q112 What is your SPOUSE or SIGNIFICANT OTHER's occupation? If they are retired, please choose their most recent occupation.

- ☐ Student (1)
- ☐ Unemployed person (2)
- ☐ Farm Laborers and Menial Service Workers (3)
- ☐ Unskilled Workers (13)
- ☐ Machine operators and Semiskilled Workers (14)
- ☐ Skilled Manual Workers, Craftsmen, and Tenant Farmers (16)
- ☐ Clerical and Sales Workers (17)
- ☐ Technicians, Semiprofessionals (18)
- ☐ Managers and Minor Professionals (19)
- ☐ Farm Owners and Small Business Owners (9)
- ☐ Administrators, Lesser Professionals, and Proprietors of Medium-Sized Businesses (21)
- ☐ Higher executives, Proprietors of Large Businesses, and Major Professionals (22)
- ☐ Other (fill in): (20) _____
- ☐ I do not have a spouse/significant other (24)

Q125 Please answer the following about your parents.

Q127 What is your FATHER's highest level of education completed?

- ☐ graduate/professional training (7)
- ☐ standard college or university graduation (6)
- ☐ partial college, at least one year of specialized training (5)
- ☐ high school graduate (4)
- ☐ partial high school, 10th or 11th grade (3)
- ☐ junior high school, including 9th grade (2)
- ☐ less than 7th grade (1)
- ☐ not applicable or unknown (0)
- ☐ I do not have a father (9)

Q122 What is your FATHER'S yearly income?

- ☐ less than \$15,000 (1)
- ☐ \$15,001 - \$25,000 (2)
- ☐ \$25,001 - \$35,000 (3)
- ☐ \$35,001 - \$50,000 (4)
- ☐ \$50,001 - \$75,000 (5)
- ☐ \$75,001 - \$100,000 (6)
- ☐ \$100,001 - \$150,000 (7)
- ☐ more than \$150,000 (8)
- ☐ I do not have a father (9)

Q111 What is your FATHER'S occupation? If he is retired, please choose his most recent occupation.

- ☐ Student (7)
- ☐ Unemployed person (6)
- ☐ Farm Laborers and Menial Service Workers (5)
- ☐ Unskilled Workers (13)
- ☐ Machine operators and Semiskilled Workers (14)
- ☐ Skilled Manual Workers, Craftsmen, and Tenant Farmers (16)
- ☐ Clerical and Sales Workers (17)
- ☐ Technicians, Semiprofessionals (18)
- ☐ Managers and Minor Professionals (19)
- ☐ Farm Owners and Small Business Owners (9)
- ☐ Administrators, Lesser Professionals, and Proprietors of Medium-Sized Businesses (21)
- ☐ Higher executives, Proprietors of Large Businesses, and Major Professionals (22)
- ☐ Other (fill in): (20) _____
- ☐ I do not have a father (24)

Q128 What is your MOTHER's highest level of education completed?

- ☐ graduate/professional training (7)
- ☐ standard college or university graduation (6)
- ☐ partial college, at least one year of specialized training (5)
- ☐ high school graduate (4)
- ☐ partial high school, 10th or 11th grade (3)
- ☐ junior high school, including 9th grade (2)
- ☐ less than 7th grade (1)
- ☐ not applicable or unknown (0)
- ☐ I do not have a mother (9)

Q123 What is your MOTHER'S yearly income?

- ☐ less than \$15,000 (1)
- ☐ \$15,001 - \$25,000 (2)
- ☐ \$25,001 - \$35,000 (3)
- ☐ \$35,001 - \$50,000 (4)
- ☐ \$50,001 - \$75,000 (5)
- ☐ \$75,001 - \$100,000 (6)
- ☐ \$100,001 - \$150,000 (7)
- ☐ more than \$150,000 (8)
- ☐ I do not have a mother (9)

Q113 What is your MOTHER's occupation? If she is retired, please choose the most recent occupation.

- ☐ Student (1)
- ☐ Unemployed person (2)
- ☐ Farm Laborers and Menial Service Workers (3)
- ☐ Unskilled Workers (13)
- ☐ Machine operators and Semiskilled Workers (14)
- ☐ Skilled Manual Workers, Craftsmen, and Tenant Farmers (16)
- ☐ Clerical and Sales Workers (17)
- ☐ Technicians, Semiprofessionals (18)
- ☐ Managers and Minor Professionals (19)
- ☐ Farm Owners and Small Business Owners (9)
- ☐ Administrators, Lesser Professionals, and Proprietors of Medium-Sized Businesses (21)
- ☐ Higher executives, Proprietors of Large Businesses, and Major Professionals (22)
- ☐ Other (fill in): (20) _____
- ☐ I do not have a mother (24)

Q48 Indicate which statement most closely aligns with your personal ideological position.

Q47

- ☐ Government is almost always wasteful and inefficient. (1)
- ☐ Government does a better job than people give it credit for. (-1)
- ☐ Don't know/Would rather not say (0)

Q49

- ☐ Government regulation of business usually does more harm than good. (1)
- ☐ Government regulation of business is necessary to protect the public interest. (-1)
- ☐ Don't know/Would rather not say (0)

Q50

- ☐ Poor people today have it easy because they can get government benefits without doing anything in return. (1)
- ☐ Poor people have hard lives because government benefits don't go far enough to help them live decently (-1)
- ☐ Don't know/Would rather not say (0)

Q51

- ☐ The government today can't afford to do much more to help the needy. (1)
- ☐ The government should do more to help needy Americans even if it means going deeper into debt. (-1)
- ☐ Don't know/Would rather not say (0)

Q52

- ☐ Black people who can't get ahead in this country are mostly responsible for their own condition. (1)
- ☐ Racial discrimination is the main reason why many Black people can't get ahead these days. (-1)
- ☐ Don't know/Would rather not say (0)

Q53

- ☐ Immigrants today are a burden on our country because they take our jobs, housing and health care. (1)
- ☐ Immigrants today strengthen our country because of their hard work and talents. (-1)
- ☐ Don't know/Would rather not say (0)

Q54

- ☐ The best way to ensure peace is through military strength. (1)
- ☐ Good diplomacy is the best way to ensure peace. (-1)
- ☐ Don't know/Would rather not say (0)

Q55

- ☐ Most corporations make a fair and reasonable amount of profit. (1)
- ☐ Business corporations make too much profit. (-1)
- ☐ Don't know/Would rather not say (0)

Q56

- ☐ Stricter environmental laws and regulations cost too many jobs and hurt the economy. (1)
- ☐ Stricter environmental laws and regulations are worth the cost. (-1)
- ☐ Don't know/Would rather not say (0)

Q57

- ☐ Homosexuality should be discouraged by society. (1)
- ☐ Homosexuality should be accepted by society. (-1)
- ☐ Don't know/Would rather not say (0)

Poli Self Report How would you describe your...

_____ ...SOCIAL political ideology? (e.g. reproductive rights, LGBTQ rights, gun rights) (1)

_____ ...ECONOMIC political ideology? (e.g. government regulation of business, health care, taxes) (2)

_____ ...OVERALL political ideology? (3)

Q78 Please answer the following questions.

Q94 Today's date (MM/DD/YY)

DOB What is your date of birth (DAY, MONTH, YEAR)?

Age What is your age in years? Please just enter the number.

Assigned Sex Which of the following was your assigned SEX at birth? Note: this may or may not match your gender identity.

- ☐ Male (1)
- ☐ Female (2)

Gender Which of the following best describes your GENDER identity?

- ☐ Male (1)
- ☐ Female (2)
- ☐ Trans man (0)
- ☐ Trans woman (4)
- ☐ Gender queer/Gender fluid (5)
- ☐ Other (please specify): (6) _____

Sexual Orientation What is your sexual orientation?

- ☐ Straight/Heterosexual (1)
- ☐ Gay/Lesbian/Homosexual (2)
- ☐ Bisexual (3)
- ☐ Pansexual (4)
- ☐ Queer (5)
- ☐ Asexual (6)
- ☐ Other (please specify): (7) _____

Q100 8) When you are at home, who do you live with? (check only one)

- ☐ I live with both parents (no step-parents) (1)
- ☐ I live with a single parent (2)
- ☐ I live with a parent and a step-parent (3)
- ☐ I live part time with both families (both parents have custody) (4)
- ☐ I live with other relatives (not my parents) (5)
- ☐ I live in a group home (6)
- ☐ I live with a foster family (7)
- ☐ I live on my own or with friends (8)
- ☐ I live with a partner (9)

Lunch 10) Do you or did you ever receive a free or reduced lunch from school?

- ☐ Yes (1)
- ☐ No (2)
- ☐ I don't know (0)

Religion Importance 6) How important would you say religion is to you? (check only one)

- ☐ Not at all Important (1)
- ☐ Slightly Important (2)
- ☐ Somewhat Important (3)
- ☐ Important (4)
- ☐ Very Important (5)

Religion 7) What is your religious affiliation? (optional)

- ☐ Catholic (1)
- ☐ Protestant (Methodist, Lutheran, Baptist, etc.) (2)
- ☐ Jewish (3)
- ☐ Evangelical / Born-again Christian (4)
- ☐ Latter-Day Saint (Mormons) (5)
- ☐ Muslim (6)
- ☐ No religion (7)
- ☐ Other / please write in (8) _____

Ethn (Hispanic) Are you of Hispanic, Latino, or Spanish origin?

- ☐ No, not of Hispanic, Latino or Spanish origin (1)
- ☐ Yes, Mexican, Mexican American, Chicano (2)
- ☐ Yes, Puerto Rican (3)
- ☐ Yes, Cuban (4)
- ☐ Yes, Central American (fill in) (5) _____
- ☐ Yes, South American (fill in) (6) _____
- ☐ Yes, Spanish (Spain) (7)

Race Select the group that best describes you:

- ☐ White (1)
- ☐ Black/African American (2)
- ☐ Asian Indian (0)
- ☐ Chinese (4)
- ☐ Filipino (5)
- ☐ Japanese (6)
- ☐ Korean (7)
- ☐ Vietnamese (8)
- ☐ Other Asian (fill in): (9) _____
- ☐ Native American / American Indian / Alaskan Native (fill in Tribe): (10) _____
- ☐ Native Hawaiian or Other Pacific Islander (11)
- ☐ Mixed (example: Chicano and Native American) (12) _____
- ☐ Other (fill in): (13) _____

Q108 What is your current work status? You may select more than one. For example, if you are a part-time student who also works part-time, you should select part-time student and working part-time.

- ☐ Working Full-Time (1)
- ☐ Working Part-Time (2)
- ☐ Retired (3)
- ☐ Disabled/Unable to Work (4)
- ☐ Unemployed, looking for work (5)
- ☐ Unemployed, not looking for work (6)
- ☐ Full-Time Student (7)
- ☐ Part-Time Student (8)

Q110 Which of the following best describes your current occupation?

- ☐ Upper management (1)
- ☐ Middle management (2)
- ☐ Junior management (3)
- ☐ Administrative staff (4)
- ☐ Support staff (5)
- ☐ Student (6)
- ☐ Trained professional (7)
- ☐ Skilled laborer (8)
- ☐ Consultant (9)
- ☐ Temporary employee (10)
- ☐ Researcher (11)
- ☐ Self employed (12)
- ☐ Other / please write in (13) _____

Q110 What is YOUR occupation? If you are retired, please choose your most recent occupation.

- ☐ Student (1)
- ☐ Unemployed person (2)
- ☐ Farm Laborers and Menial Service Workers (3)
- ☐ Unskilled Workers (13)
- ☐ Machine operators and Semiskilled Workers (14)
- ☐ Skilled Manual Workers, Craftsmen, and Tenant Famers (16)
- ☐ Clerical and Sales Workers (17)
- ☐ Technicians, Semiprofessionals (18)
- ☐ Managers and Minor Professionals (19)
- ☐ Farm Owners and Small Business Owners (9)
- ☐ Administrators, Lesser Professionals, and Proprietors of Medium-Sized Businesses (21)
- ☐ Higher executives, Proprietors of Large Businesses, and Major Professionals (22)
- ☐ Other (fill in): (20) _____

BIS/BAS After each statement, please select which response best reflects your opinion by selecting one of the following options: strongly disagree, disagree, neutral, agree or strongly agree.

	Strongly Disagree (1)	Disagree (2)	Neither Agree nor Disagree (3)	Agree (4)	Strongly Agree (5)
1) A person's family is the most important thing in life. (FAMIMPT)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2) Even if something bad is about to happen to me, I rarely experience fear or nervousness. (RARFEAR)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3) I go out of my way to get things I want. (GETWANT)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4) When I am doing well at something, I love to keep at it. (WELKEEP)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5) I'm always willing to try something new if I think it will be fun. (ATRYNEW)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6) How I dress is important to me. (DRESIMP)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7) When I get something I want, I feel excited and energized. (WANTEXT)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8) Criticism or scolding hurts me quite a bit. (CRITHRT)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9) When I want something, I usually go all-out to get it. (AOUTGET)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
10) I will often do things for no other reason than that they might be fun. (DOFFUN)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
11) It's hard for me to find the time to do things such as get a haircut. (HARDTIM)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12) If I see a chance to get something I want, I move on it right away. (CHANMOV)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
13) I feel pretty worried or upset when I think or know somebody is angry at me. (UPTANGY)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
14) When I see an opportunity for something I like, I get excited right away. (EXITOPT)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
15) I often act on spur of the moment. (OACTSPUR)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
16) If I think something unpleasant is going to happen I usually get pretty "worked up." (UPLESWU)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

17) I often wonder why people act the way they do. (WONDACT)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
18) When good things happen to me, it affects me strongly. (GOODAFF)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
19) I feel worried when I think I have done poorly at something. (WORPOOR)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
20) I crave excitement and new sensations. (CRAVEXT)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
21) When I go after something I use a "no holds barred" approach. (NOHOLD)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
22) I have very few fears compared to my friends. (FEWFEAR)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
23) It would excite me to win a contest. (EXTCONT)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
24) I worry about making mistakes. (WORMIST)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q111 Remember: your answers are confidential.

Q101 Are you a United States Citizen?

- ☐ Yes (1)
- ☐ No (2)

Q105 Can you effectively communicate in English?

- ☐ Yes (1)
- ☐ No (2)

Q107 Have you ever been convicted of a felony?

- ☐ Yes (1)
- ☐ No (2)

Q109 Have you ever participated on a jury?

- ☐ Yes (1)
- ☐ No (2)

Q99 Remember: your answers are confidential.

Q41 Have you personally experienced...

	I'd rather not say (1)	No (2)	Yes (3)	I don't know (4)
...sexual assault (any unwanted sexual contact)? (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
...rape by deception (the earning of consent through dishonest or fraudulent means)? (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
...rape by coercion (implied or clear threats or pressure to have sex)? (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
...rape by physical force while conscious? (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
...rape by physical force while unconscious? (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q106 Do you know someone who has experienced...

	I'd rather not say (1)	No (2)	Yes (3)	I don't know (4)
...sexual assault (any unwanted sexual contact)? (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
...rape by deception (the earning of sexual consent through dishonest or fraudulent means)? (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
...rape by coercion (implied or clear threats or pressure to have sex)? (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
...rape by physical force while conscious? (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
...rape by physical force while unconscious? (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q88 If you or someone you know has been a victim of sexual violence, or you would like to get more information on this topic, please feel free to consult the following list of references:

RAINN (Rape, Abuse & Incest National Network)

Website: <https://rainn.org>

Online chat: <https://online.rainn.org>

Find a local RAINN service provider in your area: <https://centers.rainn.org/>

National Sexual Assault Hotline: 800-656-4673

Advocacy Center for Tompkins County

Website: <http://theadvocacycenter.org/>

Hotline: 607-277-5000

National Sexual Violence Resource Center

123 North Enola Drive Enola, PA 17025

Website: www.nsvrc.org

Phone: 717-909-0710

Center for Disease Control and Prevention

Injury Prevention & Control: Division of Violence Prevention

Website: <http://www.cdc.gov/violenceprevention/sexualviolence/index.html>

Thank you for your participation in this study. Again, if you have further questions about the study, please contact Alisha Meschkow at am2769@cornell.edu or at 602-509-1030.

Appendix 3: Experiment 2 Survey Adjustments

Q291 Consider the following scenario: *Daniel and Sara meet on Craigslist while looking for roommates. The two sign a lease and move into a new apartment. One night, Daniel tells Sara that he will kill her unless she has sex with him. The two have sex.*

Now, please consider the following carefully: Under our law, a person has committed an act of rape when he or she engages in one or more of the following:

sexual intercourse with another person by forcible compulsion; OR sexual intercourse with another person who is incapable of consent by reason of being physically helpless; OR sexual intercourse with another person without such person's consent. Some of the terms used in this definition have their own special meaning in our law. I will now give you the meaning of the following terms: "sexual intercourse", "forcible compulsion", "incapable of consent", "physically helpless", and "without such person's consent."

SEXUAL INTERCOURSE means any penetration, however slight, of the penis into the vaginal opening. In other words, any penetration of the penis into the vaginal opening, regardless of the distance of penetration, constitutes an act of sexual intercourse. Sexual intercourse does not necessarily require erection of the penis, emission, or orgasm.

FORCIBLE COMPULSION means to intentionally compel either: by the use of physical force; OR by a threat, express or implied, which places a person in fear of immediate death or physical injury to himself or herself [or another person] or in fear that he or she [or another person] will immediately be kidnapped.

A person is **INCAPABLE OF CONSENT** when that person is physically helpless. **PHYSICALLY HELPLESS** means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act. Thus, sexual intercourse with such a person is always, under our law, deemed to be without that person's consent.

A person engages in sexual intercourse with another person **WITHOUT SUCH PERSON'S CONSENT** when there is a lack of consent to the act. Lack of consent results from circumstances under which, at the time of the act of intercourse, the complainant clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood the complainant's words and acts as an expression of lack of consent to such act under all the circumstances.

If you believe that a person has committed one or more of these acts **BEYOND A REASONABLE DOUBT**, you must find that person guilty of committing an act of rape.

The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of

the existence of any element of the crime or of the defendant's identity as the person who committed the crime.

Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.

If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

CoercV1G1Legal According to the **law**, is Daniel guilty of committing an act of rape?

- ☐ Yes (1)
- ☐ No (2)

CoercV1G1LegalExplan Please explain.

CoercV1G1LegalConf On a scale of 0 to 100, how confident are you in your decision?

(1)




CoercV1G1Pers According to **your own reasoning**, did Daniel commit an act of rape?

- ☐ Yes (1)
- ☐ No (2)

CoercV1G1PersExplan Please explain.

CoercV1G1PersConf On a scale of 0 to 100, how confident are you in your decision?

(1)	
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End of Block: Coercion Scenario V1G1

Start of Block: Age Scenario V1G1

Age V1G1 Text **Consider the following scenario:**

Lloyd and Marie are in a relationship. Lloyd is 21 years old, and Marie is 12 years old. The two have sex.

Now, please consider the following carefully:

Under our law, a person has committed an act of rape when being twenty-one (21) years old or more, he or she engages in sexual intercourse with another person less than seventeen (17) years old. Under our law, it is also an element of this offense that the sexual intercourse was committed without the consent of that other person. Sexual intercourse takes place without a person's consent when that person is deemed by law to be incapable of consent. Under our law, a person is deemed incapable of consenting to sexual intercourse when he or she is less than seventeen (17) years old. Thus, the law deems sexual intercourse with such a person to be

without that person's consent, even if in fact that person did consent. The term, "sexual intercourse," used in the definition of this crime has its own special meaning in our law. I will now give you the meaning of that term.

SEXUAL INTERCOURSE means any penetration, however slight, of the penis into the vaginal opening. In other words, any penetration of the penis into the vaginal opening, regardless of the distance of penetration, constitutes an act of sexual intercourse. Sexual intercourse does not necessarily require erection of the penis, emission, or orgasm.

If you believe that a person has committed these acts BEYOND A REASONABLE DOUBT, you must find that person guilty of committing an act of rape. The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime. Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty. If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

AgeV1G1Legal According to the **law**, is Lloyd guilty of committing an act of rape?

- ☐ Yes (1)
- ☐ No (2)

AgeV1G1LegalExplan Please explain.

AgeV1G1LegalConf On a scale of 0 to 100, how confident are you in your decision?

(1)



AgeV1G1Pers According to **your own reasoning**, did Lloyd commit an act of rape?

☐ Yes (1)

☐ No (2)

AgeV1G1PersExplain Please explain.

AgeV1G1PersConf On a scale of 0 to 100, how confident are you in your decision?

(1)



End of Block: Age Scenario V1G1

Start of Block: Fraud Scenario V1G1

Q137 Consider the following scenario: *Alex and Mia, a married couple, live together. They share a bed. One night, Alex wants to have sex with Mia, but she is asleep. He has sex with her anyway. Mia wakes up and kicks Alex out of the house.*

Now, please consider the following carefully: Under our law, a person has committed an act of rape when he or she engages in one or more of the following:

sexual intercourse with another person who is incapable of consent by reason of being physically helpless; OR sexual intercourse with another person without such person's

consent

Some of the terms used in this definition have their own special meaning in our law. I will now give you the meaning of the following terms: “sexual intercourse”, “incapable of consent”, “physically helpless”, and “without such person’s consent.”

SEXUAL INTERCOURSE means any penetration, however slight, of the penis into the vaginal opening. In other words, any penetration of the penis into the vaginal opening, regardless of the distance of penetration, constitutes an act of sexual intercourse. Sexual intercourse does not necessarily require erection of the penis, emission, or orgasm.

A person is INCAPABLE OF CONSENT when that person is physically helpless. PHYSICALLY HELPLESS means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act. Thus, sexual intercourse with such a person is always, under our law, deemed to be without that person's consent.

A person engages in sexual intercourse with another person WITHOUT SUCH PERSON'S CONSENT when there is a lack of consent to the act. Lack of consent results from circumstances under which, at the time of the act of intercourse, the complainant clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor’s situation would have understood the complainant's words and acts as an expression of lack of consent to such act under all the circumstances.

If you believe that a person has committed one or more of these acts BEYOND A REASONABLE DOUBT, you must find that person guilty of committing an act of rape.

The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime.

Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.


If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

FraudV1G1Legal According to the **law**, is Alex guilty of committing an act of rape?

- ☐ Yes (1)
☐ No (2)

FraudV1G1LegalExplan Please explain.

FraudV1G1LegalConf On a scale of 0 to 100, how confident are you in your decision?

(1)	
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FraudV1G1Pers According to **your own reasoning**, did Alex commit an act of rape?

- ☐ Yes (1)
☐ No (2)

FraudV1G1PersExplan Please explain.

FraudV1G1PersConf On a scale of 0 to 100, how confident are you in your decision?

(1)



End of Block: Fraud Scenario V1G1

Start of Block: Coercion Scenario V0G1

Q298 Consider the following scenario: *Daniel and Sara meet on Craigslist while looking for roommates. The two sign a lease and move into a new apartment. Daniel's father is the landlord of the building. One night, Daniel tells Sara if she doesn't have sex with him, he will tell his father to evict her, and she will become homeless. The two have sex.*

Now, please consider the following carefully: Under our law, a person has committed an act of rape when he or she engages in one or more of the following:

sexual intercourse with another person by forcible compulsion; OR sexual intercourse with another person who is incapable of consent by reason of being physically helpless; OR sexual intercourse with another person without such person's consent. Some of the terms used in this definition have their own special meaning in our law. I will now give you the meaning of the following terms: "sexual intercourse", "forcible compulsion", "incapable of consent", "physically helpless", and "without such person's consent."

SEXUAL INTERCOURSE means any penetration, however slight, of the penis into the vaginal opening. In other words, any penetration of the penis into the vaginal opening, regardless of the distance of penetration, constitutes an act of sexual intercourse. Sexual intercourse does not necessarily require erection of the penis, emission, or orgasm.

FORCIBLE COMPULSION means to intentionally compel either: by the use of physical force; OR by a threat, express or implied, which places a person in fear of immediate death or physical injury to himself or herself [or another person] or in fear that he or she [or another person] will immediately be kidnapped.

A person is **INCAPABLE OF CONSENT** when that person is physically helpless. **PHYSICALLY HELPLESS** means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act. Thus, sexual intercourse with such a person is always, under our law, deemed to be without that person's consent.

A person engages in sexual intercourse with another person **WITHOUT SUCH PERSON'S CONSENT** when there is a lack of consent to the act. Lack of consent results from circumstances under which, at the time of the act of intercourse, the complainant clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would

have understood the complainant's words and acts as an expression of lack of consent to such act under all the circumstances.

If you believe that a person has committed one or more of these acts BEYOND A REASONABLE DOUBT, you must find that person guilty of committing an act of rape.

The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime.

Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.

If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

CoercV0G1Legal According to the **law**, is Daniel guilty of committing an act of rape?

- ☐ Yes (1)
- ☐ No (2)

CoercV0G1LegalExplan Please explain.

CoercV0G1LegalConf On a scale of 0 to 100, how confident are you in your decision?

(1)



CoercV0G1Pers According to **your own reasoning**, did Daniel commit an act of rape?

- ☐ Yes (1)
- ☐ No (2)

CoercV0G1PersExplan Please explain.

CoercV0G1PersExplan On a scale of 0 to 100, how confident are you in your decision?

(1)



End of Block: Coercion Scenario V0G1

Start of Block: Age Scenario V0G1

Age V0G1 Text **Consider the following scenario:**

Lloyd and Marie are in a relationship. Lloyd is 50 years old and has had many sexual partners and experiences. Marie is 17 years old and has never been sexual with anyone. Lloyd is Marie's high school teacher. The two have sex.

Now, please consider the following carefully:

Under our law, a person has committed an act of rape when being twenty-one (21) years old or more, he or she engages in sexual intercourse with another person less than seventeen (17)

years old. Under our law, it is also an element of this offense that the sexual intercourse was committed without the consent of that other person. Sexual intercourse takes place without a person's consent when that person is deemed by law to be incapable of consent. Under our law, a person is deemed incapable of consenting to sexual intercourse when he or she is less than seventeen (17) years old. Thus, the law deems sexual intercourse with such a person to be without that person's consent, even if in fact that person did consent. The term, "sexual intercourse," used in the definition of this crime has its own special meaning in our law. I will now give you the meaning of that term.

SEXUAL INTERCOURSE means any penetration, however slight, of the penis into the vaginal opening. In other words, any penetration of the penis into the vaginal opening, regardless of the distance of penetration, constitutes an act of sexual intercourse. Sexual intercourse does not necessarily require erection of the penis, emission, or orgasm.

If you believe that a person has committed these acts BEYOND A REASONABLE DOUBT, you must find that person guilty of committing an act of rape. The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime. Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty. If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

Age V0G1 V Verdict According to the **law**, is Lloyd guilty of committing an act of rape?

- ☐ Yes (1)
- ☐ No (2)

Q127 Please state your reasoning.

Age V0G1 V SignCon On a scale of 0 to 100, how confident are you in your decision?

(1)



Age V0G1 G Verdict According to **your own reasoning**, did Lloyd commit an act of rape?

☐ Yes (1)

☐ No (2)

Q128 Please state your reasoning.

Age V0G1 G SignCon On a scale of 0 to 100, how confident are you in your decision?

(1)



End of Block: Age Scenario V0G1

Start of Block: Fraud Scenario V0G1

Q270 Consider the following scenario: *Mat, Mia and Alex all live together. Mat and Mia are married, and Alex is Mat's identical twin. One night, Alex sneaks into Mia's bedroom to try*

to have sex with her while Mat is still out for the night. Mia wakes up, believes it is Mat, and has sex with Alex. After the two have finished, Mia realizes it is Alex and not Mat. Mia kicks Alex out of the house. **Now, please consider the following carefully:** Under our law, a person has committed an act of rape when he or she engages in one or more of the following: sexual intercourse with another person who is incapable of consent by reason of being physically helpless; OR sexual intercourse with another person without such person's consent. Some of the terms used in this definition have their own special meaning in our law. I will now give you the meaning of the following terms: "sexual intercourse", "incapable of consent", "physically helpless", and "without such person's consent."

SEXUAL INTERCOURSE means any penetration, however slight, of the penis into the vaginal opening. In other words, any penetration of the penis into the vaginal opening, regardless of the distance of penetration, constitutes an act of sexual intercourse. Sexual intercourse does not necessarily require erection of the penis, emission, or orgasm.

A person is INCAPABLE OF CONSENT when that person is physically helpless. PHYSICALLY HELPLESS means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act. Thus, sexual intercourse with such a person is always, under our law, deemed to be without that person's consent.

A person engages in sexual intercourse with another person WITHOUT SUCH PERSON'S CONSENT when there is a lack of consent to the act. Lack of consent results from circumstances under which, at the time of the act of intercourse, the complainant clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood the complainant's words and acts as an expression of lack of consent to such act under all the circumstances.

If you believe that a person has committed one or more of these acts BEYOND A REASONABLE DOUBT, you must find that person guilty of committing an act of rape.

The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime.

Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.

If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a


reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

FraudV0G1Legal According to the **law**, is Alex guilty of committing an act of rape?

- ☐ Yes (1)
☐ No (2)
-

FraudV0G1LegalExplan Please explain.

FraudV0G1LegalConf On a scale of 0 to 100, how confident are you in your decision?

(1)	
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FraudV0G1Pers According to **your own reasoning**, did Alex commit an act of rape?

- ☐ Yes (1)
☐ No (2)
-

FraudV0G1PersExplan Please explain.

FraudV0G1PersConf On a scale of 0 to 100, how confident are you in your decision?

(1)



End of Block: Fraud Scenario V0G1

Start of Block: Coercion Scenario V1G0

Q305 Consider the following scenario: *Daniel and Sara meet on Craigslist while looking for roommates. The two sign a lease and move into a new apartment. One night, the two have sex. At first, Sara was very enthusiastic with Daniel. Daniel does not notice Sara has fallen asleep. As soon as Daniel realizes Sara is asleep, he separates from her.*

Now, please consider the following carefully: Under our law, a person has committed an act of rape when he or she engages in one or more of the following:

sexual intercourse with another person by forcible compulsion; OR sexual intercourse with another person who is incapable of consent by reason of being physically helpless; OR sexual intercourse with another person without such person's consent. Some of the terms used in this definition have their own special meaning in our law. I will now give you the meaning of the following terms: "sexual intercourse", "forcible compulsion", "incapable of consent", "physically helpless", and "without such person's consent."

SEXUAL INTERCOURSE means any penetration, however slight, of the penis into the vaginal opening. In other words, any penetration of the penis into the vaginal opening, regardless of the distance of penetration, constitutes an act of sexual intercourse. Sexual intercourse does not necessarily require erection of the penis, emission, or orgasm.

FORCIBLE COMPULSION means to intentionally compel either: by the use of physical force; OR by a threat, express or implied, which places a person in fear of immediate death or physical injury to himself or herself [or another person] or in fear that he or she [or another person] will immediately be kidnapped.

A person is **INCAPABLE OF CONSENT** when that person is physically helpless. **PHYSICALLY HELPLESS** means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act. Thus, sexual intercourse with such a person is always, under our law, deemed to be without that person's consent.

A person engages in sexual intercourse with another person WITHOUT SUCH PERSON'S CONSENT when there is a lack of consent to the act. Lack of consent results from circumstances under which, at the time of the act of intercourse, the complainant clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood the complainant's words and acts as an expression of lack of consent to such act under all the circumstances.

If you believe that a person has committed one or more of these acts BEYOND A REASONABLE DOUBT, you must find that person guilty of committing an act of rape.

The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime.

Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.

If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

CoercV1G0Legal According to the **law**, is Daniel guilty of committing an act of rape?

- ☐ Yes (1)
 - ☐ No (2)
-

CoercV1G0LegalExplan Please explain.

CoercV1G0LegalConf On a scale of 0 to 100, how confident are you in your decision?

(1)



CoercV1G0Pers According to **your own reasoning**, did Daniel commit an act of rape?

☐ Yes (1)

☐ No (2)

CoercV1G0PersExplan Please explain.

CoercV1G0PersConf On a scale of 0 to 100, how confident are you in your decision?

(1)



End of Block: Coercion Scenario V1G0

Start of Block: Age Scenario V1G0

Age V1G0 Text **Consider the following scenario:**

Lloyd and Marie are in a relationship. Lloyd is 21 years old, and Marie is 16 years old. Marie

tells Lloyd that she is 18 years old. The two have sex.

Now, please consider the following carefully:

Under our law, a person has committed an act of rape when being twenty-one (21) years old or more, he or she engages in sexual intercourse with another person less than seventeen (17) years old. Under our law, it is also an element of this offense that the sexual intercourse was committed without the consent of that other person. Sexual intercourse takes place without a person's consent when that person is deemed by law to be incapable of consent. Under our law, a person is deemed incapable of consenting to sexual intercourse when he or she is less than seventeen (17) years old. Thus, the law deems sexual intercourse with such a person to be without that person's consent, even if in fact that person did consent. It is not a defense to this charge that the actor did not know that the person with whom the actor had sexual intercourse was less than seventeen (17) years old, or that the actor believed that such person was seventeen (17) years old or more on the date of the crime. The term, "sexual intercourse," used in the definition of this crime has its own special meaning in our law. I will now give you the meaning of that term.

SEXUAL INTERCOURSE means any penetration, however slight, of the penis into the vaginal opening. In other words, any penetration of the penis into the vaginal opening, regardless of the distance of penetration, constitutes an act of sexual intercourse. Sexual intercourse does not necessarily require erection of the penis, emission, or orgasm.

If you believe that a person has committed these acts BEYOND A REASONABLE DOUBT, you must find that person guilty of committing an act of rape. The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime. Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty. If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

Age V1G0 V Verdict According to the **law**, is Lloyd guilty of committing an act of rape?

- ☐ Yes (1)
 - ☐ No (2)
-

Q129 Please state your reasoning.

Age V1G0 V SignCon On a scale of 0 to 100, how confident are you in your decision?

(1)



Age V1G0 G Verdict According to **your own reasoning**, did Lloyd commit an act of rape?

- ☐ Yes (1)
- ☐ No (2)

Q130 Please state your reasoning.

Age V1G0 G Verdict On a scale of 0 to 100, how confident are you in your decision?

(1)



End of Block: Age Scenario V1G0

Start of Block: Fraud Scenario V1G0

Q277 Consider the following scenario: *Alex and Mia, a married couple, live together. They share a bed. One night, Mia is talking in her sleep, but Alex believes she is awake with her eyes closed. Alex asks if Mia wants to have sex, and she responds that she does. Alex starts to have sex with Mia. She wakes up and tells him to stop. Alex immediately separates from Mia.* **Now, please consider the following carefully:** Under our law, a person has committed an act of rape when he or she engages in one or more of the following: sexual intercourse with another person who is incapable of consent by reason of being physically helpless; OR sexual intercourse with another person without such person's consent. Some of the terms used in this definition have their own special meaning in our law. I will now give you the meaning of the following terms: "sexual intercourse", "incapable of consent", "physically helpless", and "without such person's consent."

SEXUAL INTERCOURSE means any penetration, however slight, of the penis into the vaginal opening. In other words, any penetration of the penis into the vaginal opening, regardless of the distance of penetration, constitutes an act of sexual intercourse. Sexual intercourse does not necessarily require erection of the penis, emission, or orgasm.

A person is INCAPABLE OF CONSENT when that person is physically helpless. PHYSICALLY HELPLESS means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act. Thus, sexual intercourse with such a person is always, under our law, deemed to be without that person's consent.

A person engages in sexual intercourse with another person WITHOUT SUCH PERSON'S CONSENT when there is a lack of consent to the act. Lack of consent results from circumstances under which, at the time of the act of intercourse, the complainant clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood the complainant's words and acts as an expression of lack of consent to such act under all the circumstances.

If you believe that a person has committed one or more of these acts BEYOND A REASONABLE DOUBT, you must find that person guilty of committing an act of rape.

The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a

matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime.

Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.


If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

FraudV1G0Legal According to the **law**, is Alex guilty of committing an act of rape?

- ☐ Yes (1)
- ☐ No (2)

FraudV1G0LegalExplain Please explain.

FraudV1G0LegalConf On a scale of 0 to 100, how confident are you in your decision?


(1)	
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FraudV1G0Pers According to **your own reasoning**, did Alex commit an act of rape?

- ☐ Yes (1)
- ☐ No (2)

FraudV1G0PersExplan Please explain.

FraudV1G0PersConf On a scale of 0 to 100, how confident are you in your decision?

(1)	
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End of Block: Fraud Scenario V1G0

Start of Block: Coercion Scenario V0G0

Q312 Consider the following scenario: *Daniel and Sara meet on Craigslist while looking for roommates. The two sign a lease and move into a new apartment. One night, the two have sex.*

Now, please consider the following carefully: Under our law, a person has committed an act of rape when he or she engages in one or more of the following:

sexual intercourse with another person by forcible compulsion; OR sexual intercourse with another person who is incapable of consent by reason of being physically helpless; OR sexual intercourse with another person without such person's consent. Some of the terms used in this definition have their own special meaning in our law. I will now give you the meaning of the following terms: "sexual intercourse", "forcible compulsion", "incapable of consent", "physically helpless", and "without such person's consent."

SEXUAL INTERCOURSE means any penetration, however slight, of the penis into the vaginal opening. In other words, any penetration of the penis into the vaginal opening, regardless of the distance of penetration, constitutes an act of sexual intercourse. Sexual intercourse does not necessarily require erection of the penis, emission, or orgasm.

FORCIBLE COMPULSION means to intentionally compel either: by the use of physical force; OR by a threat, express or implied, which places a person in fear of immediate death or physical injury to himself or herself [or another person] or in fear that he or she [or another person] will immediately be kidnapped.

A person is **INCAPABLE OF CONSENT** when that person is physically helpless. **PHYSICALLY HELPLESS** means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act. Thus, sexual intercourse with such a person is always, under our law, deemed to be without that person's consent.

A person engages in sexual intercourse with another person **WITHOUT SUCH PERSON'S CONSENT** when there is a lack of consent to the act. Lack of consent results from circumstances under which, at the time of the act of intercourse, the complainant clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood the complainant's words and acts as an expression of lack of consent to such act under all the circumstances.

If you believe that a person has committed one or more of these acts **BEYOND A REASONABLE DOUBT**, you must find that person guilty of committing an act of rape.

The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime.

Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.

If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

CoercV0G0Legal According to the **law**, is Daniel guilty of committing an act of rape?

- ☐ Yes (1)
- ☐ No (2)

CoercV0G0LegalExplan Please explain.

CoercV0G0LegalConf On a scale of 0 to 100, how confident are you in your decision?

(1)



CoercV0G0Pers According to **your own reasoning**, did Daniel commit an act of rape?

- ☐ Yes (1)
- ☐ No (2)

CoercV0G0PersExplan Please explain.

CoercV0G0PersConf On a scale of 0 to 100, how confident are you in your decision?

(1)



End of Block: Coercion Scenario V0G0

Start of Block: Age Scenario V0G0

Age V0G0 Text **Consider the following scenario:**

Lloyd and Marie are in a relationship. Lloyd and Marie are both 21 years old. The two have sex.

Now, please consider the following carefully:

Under our law, a person has committed an act of rape when being twenty-one (21) years old or more, he or she engages in sexual intercourse with another person less than seventeen (17) years old. Under our law, it is also an element of this offense that the sexual intercourse was committed without the consent of that other person. Sexual intercourse takes place without a person's consent when that person is deemed by law to be incapable of consent. Under our law, a person is deemed incapable of consenting to sexual intercourse when he or she is less than seventeen (17) years old. Thus, the law deems sexual intercourse with such a person to be without that person's consent, even if in fact that person did consent. The term, "sexual intercourse," used in the definition of this crime has its own special meaning in our law. I will now give you the meaning of that term.

SEXUAL INTERCOURSE means any penetration, however slight, of the penis into the vaginal opening. In other words, any penetration of the penis into the vaginal opening, regardless of the distance of penetration, constitutes an act of sexual intercourse. Sexual intercourse does not necessarily require erection of the penis, emission, or orgasm.

If you believe that a person has committed these acts BEYOND A REASONABLE DOUBT, you must find that person guilty of committing an act of rape. The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime. Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty. If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of


that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

Age V0G0 V Verdict According to the **law**, is Lloyd guilty of committing an act of rape?

- ☐ Yes (1)
☐ No (2)
-

Q131 Please state your reasoning.

Age V0G0 V SignCon On a scale of 0 to 100, how confident are you in your decision?

(1)	
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Age V0G0 G Verdict According to **your own reasoning**, did Lloyd commit an act of rape?

- ☐ Yes (1)
☐ No (2)
-

Q132 Please state your reasoning.

Age V0G0 G SignCon On a scale of 0 to 100, how confident are you in your decision?

(1)



End of Block: Age Scenario V0G0

Start of Block: Fraud Scenario V0G0

Q284 Consider the following scenario: *Alex and Mia, a married couple, live together. They share a bed. One night, the two have sex.* **Now, please consider the following carefully:** Under our law, a person has committed an act of rape when he or she engages in one or more of the following: sexual intercourse with another person who is incapable of consent by reason of being physically helpless; OR sexual intercourse with another person without such person's consent. Some of the terms used in this definition have their own special meaning in our law. I will now give you the meaning of the following terms: "sexual intercourse", "incapable of consent", "physically helpless", and "without such person's consent."

SEXUAL INTERCOURSE means any penetration, however slight, of the penis into the vaginal opening. In other words, any penetration of the penis into the vaginal opening, regardless of the distance of penetration, constitutes an act of sexual intercourse. Sexual intercourse does not necessarily require erection of the penis, emission, or orgasm.

A person is **INCAPABLE OF CONSENT** when that person is physically helpless. **PHYSICALLY HELPLESS** means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act. Thus, sexual intercourse with such a person is always, under our law, deemed to be without that person's consent.

A person engages in sexual intercourse with another person **WITHOUT SUCH PERSON'S CONSENT** when there is a lack of consent to the act. Lack of consent results from circumstances under which, at the time of the act of intercourse, the complainant clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood the complainant's words and acts as an expression of lack of consent to such act under all the circumstances.

If you believe that a person has committed one or more of these acts **BEYOND A REASONABLE DOUBT**, you must find that person guilty of committing an act of rape.

The law uses the term, "proof beyond a reasonable doubt," to tell you how convincing the evidence of guilt must be to permit a verdict of guilty. A reasonable doubt is an honest doubt of the defendant's guilt for which a reason exists based upon the nature and quality of the evidence. It is an actual doubt, not an imaginary doubt. It is a doubt that a reasonable person, acting in a matter of this importance, would be likely to entertain because of the evidence that was presented or because of the lack of convincing evidence. Proof of guilt beyond a reasonable doubt is proof that leaves you so firmly convinced of the defendant's guilt that you have no reasonable doubt of the existence of any element of the crime or of the defendant's identity as the person who committed the crime.

Whatever your verdict may be, it must not rest upon baseless speculations. Nor may it be influenced in any way by bias, prejudice, sympathy, or by a desire to bring an end to your deliberations or to avoid an unpleasant duty.

If you are not convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant not guilty of that crime. If you are convinced beyond a reasonable doubt that the defendant is guilty of a charged crime, you must find the defendant guilty of that crime.

FraudV0G0Legal According to the **law**, is Alex guilty of committing an act of rape?

- ☐ Yes (1)
- ☐ No (2)

FraudV0G0LegalExplain Please explain.

FraudV0G0LegalConf On a scale of 0 to 100, how confident are you in your decision?

(1)



FraudV0G0Pers According to **your own reasoning**, did Alex commit an act of rape?

☐ Yes (1)

☐ No (2)

FraudV0G0PersExplan Please explain.

FraudV0G0PersConf On a scale of 0 to 100, how confident are you in your decision?

(1)



NFC For the following questions, please select the appropriate response:

- +4 = very strong agreement
- +3 = strong agreement
- +2 = moderate agreement
- +1 = slight agreement
- 0 = neither agreement nor disagreement
- 1 = slight disagreement
- 2 = moderate disagreement
- 3 = strong disagreement
- 4 = very strong disagreement

Q231 I would prefer complex to simple problems

- ☐ -4 = very strong disagreement (1)
 - ☐ -3 (2)
 - ☐ -2 (3)
 - ☐ -1 (4)
 - ☐ 0 = neither disagreement or agreement (5)
 - ☐ 1 (6)
 - ☐ 2 (7)
 - ☐ 3 (8)
 - ☐ 4=very strong agreement (9)
-

Q233 I like to have the responsibility of handling a situation that requires a lot of thinking.

- ☐ -4 = very strong disagreement (1)
 - ☐ -3 (2)
 - ☐ -2 (3)
 - ☐ -1 (4)
 - ☐ 0 = neither disagreement or agreement (5)
 - ☐ 1 (6)
 - ☐ 2 (7)
 - ☐ 3 (8)
 - ☐ 4=very strong agreement (9)
-

Q235 Thinking is not my idea of fun.

- ☐ -4 = very strong disagreement (1)
 - ☐ -3 (2)
 - ☐ -2 (3)
 - ☐ -1 (4)
 - ☐ 0 = neither disagreement or agreement (5)
 - ☐ 1 (6)
 - ☐ 2 (7)
 - ☐ 3 (8)
 - ☐ 4=very strong agreement (9)
-

Q237 I would rather do something that requires little thought than something that is sure to challenge my thinking abilities.

- ☐ -4 = very strong disagreement (1)
 - ☐ -3 (2)
 - ☐ -2 (3)
 - ☐ -1 (4)
 - ☐ 0 = neither disagreement or agreement (5)
 - ☐ 1 (6)
 - ☐ 2 (7)
 - ☐ 3 (8)
 - ☐ 4=very strong agreement (9)
-

Q239 I try to anticipate and avoid situations where there is likely a chance I will have to think in depth about something.

- ☐ -4 = very strong disagreement (1)
 - ☐ -3 (2)
 - ☐ -2 (3)
 - ☐ -1 (4)
 - ☐ 0 = neither disagreement or agreement (5)
 - ☐ 1 (6)
 - ☐ 2 (7)
 - ☐ 3 (8)
 - ☐ 4=very strong agreement (9)
-

Q241 I find satisfaction in deliberating hard and for long hours.

- ☐ -4 = very strong disagreement (1)
 - ☐ -3 (2)
 - ☐ -2 (3)
 - ☐ -1 (4)
 - ☐ 0 = neither disagreement or agreement (5)
 - ☐ 1 (6)
 - ☐ 2 (7)
 - ☐ 3 (8)
 - ☐ 4=very strong agreement (9)
-

Q243 I only think as hard as I have to

- ☐ -4 = very strong disagreement (1)
 - ☐ -3 (2)
 - ☐ -2 (3)
 - ☐ -1 (4)
 - ☐ 0 = neither disagreement or agreement (5)
 - ☐ 1 (6)
 - ☐ 2 (7)
 - ☐ 3 (8)
 - ☐ 4=very strong agreement (9)
-

Q245 I prefer to think about small, daily projects to long-term ones.

- ☐ -4 = very strong disagreement (1)
 - ☐ -3 (2)
 - ☐ -2 (3)
 - ☐ -1 (4)
 - ☐ 0 = neither disagreement or agreement (5)
 - ☐ 1 (6)
 - ☐ 2 (7)
 - ☐ 3 (8)
 - ☐ 4=very strong agreement (9)
-

Q247 I like tasks that require little thought once I've learned them.

- ☐ -4 = very strong disagreement (1)
 - ☐ -3 (2)
 - ☐ -2 (3)
 - ☐ -1 (4)
 - ☐ 0 = neither disagreement or agreement (5)
 - ☐ 1 (6)
 - ☐ 2 (7)
 - ☐ 3 (8)
 - ☐ 4=very strong agreement (9)
-

Q249 The idea of relying on thought to make my way to the top appeals to me.

- ☐ -4 = very strong disagreement (1)
 - ☐ -3 (2)
 - ☐ -2 (3)
 - ☐ -1 (4)
 - ☐ 0 = neither disagreement or agreement (5)
 - ☐ 1 (6)
 - ☐ 2 (7)
 - ☐ 3 (8)
 - ☐ 4=very strong agreement (9)
-

Q251 I really enjoy a task that involves coming up with new solutions to problems.

- ☐ -4 = very strong disagreement (1)
 - ☐ -3 (2)
 - ☐ -2 (3)
 - ☐ -1 (4)
 - ☐ 0 = neither disagreement or agreement (5)
 - ☐ 1 (6)
 - ☐ 2 (7)
 - ☐ 3 (8)
 - ☐ 4=very strong agreement (9)
-

Q253 Learning new ways to think doesn't excite me very much.

- ☐ -4 = very strong disagreement (1)
 - ☐ -3 (2)
 - ☐ -2 (3)
 - ☐ -1 (4)
 - ☐ 0 = neither disagreement or agreement (5)
 - ☐ 1 (6)
 - ☐ 2 (7)
 - ☐ 3 (8)
 - ☐ 4=very strong agreement (9)
-

Q255 I prefer my life to be filled with puzzles that I must solve.

- ☐ -4 = very strong disagreement (1)
 - ☐ -3 (2)
 - ☐ -2 (3)
 - ☐ -1 (4)
 - ☐ 0 = neither disagreement or agreement (5)
 - ☐ 1 (6)
 - ☐ 2 (7)
 - ☐ 3 (8)
 - ☐ 4=very strong agreement (9)
-

Q257 The notion of thinking abstractly is appealing to me.

- ☐ -4 = very strong disagreement (1)
 - ☐ -3 (2)
 - ☐ -2 (3)
 - ☐ -1 (4)
 - ☐ 0 = neither disagreement or agreement (5)
 - ☐ 1 (6)
 - ☐ 2 (7)
 - ☐ 3 (8)
 - ☐ 4=very strong agreement (9)
-

Q259 I would prefer a task that is intellectual, difficult, and important to one that is somewhat important but does not require much thought.

- ☐ -4 = very strong disagreement (1)
 - ☐ -3 (2)
 - ☐ -2 (3)
 - ☐ -1 (4)
 - ☐ 0 = neither disagreement or agreement (5)
 - ☐ 1 (6)
 - ☐ 2 (7)
 - ☐ 3 (8)
 - ☐ 4=very strong agreement (9)
-

Q261 I feel relief rather than satisfaction after completing a task that required a lot of mental effort.

- ☐ -4 = very strong disagreement (1)
 - ☐ -3 (2)
 - ☐ -2 (3)
 - ☐ -1 (4)
 - ☐ 0 = neither disagreement or agreement (5)
 - ☐ 1 (6)
 - ☐ 2 (7)
 - ☐ 3 (8)
 - ☐ 4=very strong agreement (9)
-

Q263 It's enough for me that something gets the job done; I don't care how or why it works.

- ☐ -4 = very strong disagreement (1)
 - ☐ -3 (2)
 - ☐ -2 (3)
 - ☐ -1 (4)
 - ☐ 0 = neither disagreement or agreement (5)
 - ☐ 1 (6)
 - ☐ 2 (7)
 - ☐ 3 (8)
 - ☐ 4=very strong agreement (9)
-

Q265 I usually end up deliberating about issues even when they do not affect me personally.

- ☐ -4 = very strong disagreement (1)
- ☐ -3 (2)
- ☐ -2 (3)
- ☐ -1 (4)
- ☐ 0 = neither disagreement or agreement (5)
- ☐ 1 (6)
- ☐ 2 (7)
- ☐ 3 (8)
- ☐ 4=very strong agreement (9)

*